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# *"The Palaces of Government"*







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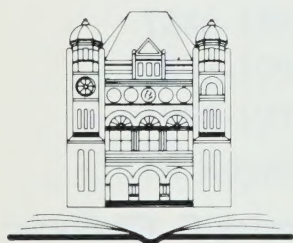
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# ***"The Palaces of Government"***

**A History of the Legislative Buildings  
of the Provinces of Upper Canada,  
Canada and Ontario, 1792-1992**

**Clare A. Dale**



Toronto  
Ontario Legislative Library  
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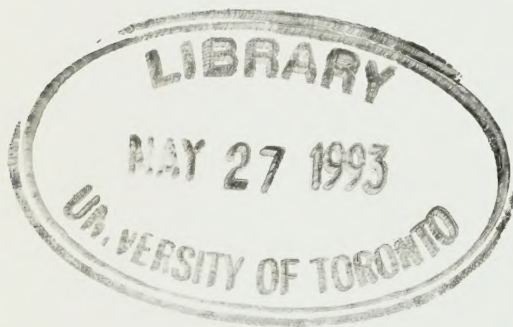
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## **Foreword**

On 17 September 1792, the first session of the first Parliament of Upper Canada was held in Newark (now Niagara-on-the-Lake). Historians will probably never be able to prove decisively whether that first Legislature was held in the Freemasons' Hall, in Navy Hall or elsewhere at Newark. In 1797, the capital of Upper Canada and the Legislature moved from Newark to York (now Toronto) where, over the next 42 years, it was to occupy seven different buildings, two of which were destroyed by fire — a recurrent calamity with the early legislatures.

When Upper Canada joined Lower Canada in 1841 to form the united Province of Canada, the new Legislature had four temporary capitals — Kingston, Montreal, Toronto (twice) and Quebec City (twice) before settling in Ottawa in 1866. During this period, the Legislature occupied ten different buildings and suffered two calamitous fires.

At Confederation in 1867, the Legislative Assembly of the new Province of Ontario occupied the old parliament buildings on Front Street in Toronto. In 1893, the Assembly moved to a new location at Queen's Park and, on 4 April of that year, the present building was officially opened. In 1909, a fire destroyed the west wing of the building which included the Legislative Library and 90,000 volumes were lost. In 1912, the north wing, which houses the present Library collection, was added.

In this study of the parliament buildings occupied by the legislatures of the provinces of Upper Canada, Canada and Ontario, Clare Dale has described the political and social developments which provided the historical background for the activities of successive legislatures and legislators of the past 200 years. This history is one of several publications issued by the Legislative Library to mark the bicentennial of the first Parliament of Upper Canada in 1792. It is particularly appropriate that this book appears in the year when the Legislative Assembly will celebrate the centennial of its present building at Queen's Park.

Brian Land  
Executive Director  
Ontario Legislative Library  
February 1993



### **List of Illustrations and Credits**

First parliament buildings at York, 1796-1813  
(Pen and ink drawing, Baldwin Room, Metropolitan Toronto Reference Library)

Third parliament buildings at York, Front Street West and Simcoe Street, 1832

(Pen and ink drawing after a watercolour by J.G. Howard, Baldwin Room, Metropolitan Toronto Reference Library, T-11106)

Front Street parliament buildings, c. 1835

(Thomas Young, on stone by W.K. Hewitt, lithograph by N. Currier, 1835, National Archives of Canada, C-1667)

Kingston General Hospital

(Archives of Ontario, S-975)

St. Anne Market, Montreal, prior to 1849

(Drawing by A. Kollner, 1848, National Archives of Canada, C-13425)

Storming and burning of the St. Anne Market

(*Illustrated London News*, 19 May 1849, National Archives of Canada, C-2726)

Buildings used by the provincial government in Quebec City, 1852-1854

(On stone by Sproule from an original by A.J. Russell, lithograph by Bourne, National Archives of Canada, C-46906)

Buildings used by the Parliament in Quebec City, 1860-1865

(National Archives of Canada, C-6632)

Front Street parliament buildings, c. 1884

(Legislative Assembly of Ontario, Interparliamentary and Public Relations Branch)

Rear entrance to the Front Street parliament buildings

(Pen and ink drawing by William J. Thomson, 1896, Baldwin Room, Metropolitan Toronto Reference Library, T-12042)



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West end of the legislative chamber, Front Street buildings, 1892  
(Legislative Assembly of Ontario, Interparliamentary and Public Relations Branch)

East end of the legislative chamber, Front Street buildings  
(Legislative Assembly of Ontario, Interparliamentary and Public Relations Branch)

Construction of the Queen's Park parliament buildings  
(Legislative Assembly of Ontario, Interparliamentary and Public Relations Branch)

Construction of the Legislature at Queen's Park, c. 1892  
(Legislative Assembly of Ontario, Interparliamentary and Public Relations Branch)

The fire in the west wing, 1 September 1909  
(Legislative Assembly of Ontario, Interparliamentary and Public Relations Branch)

Rear view of the parliament buildings at Queen's Park, prior to 1909  
(Legislative Assembly of Ontario, Interparliamentary and Public Relations Branch)

Hallway leading to the north wing and the Legislative Library  
(Legislative Assembly of Ontario, Interparliamentary and Public Relations Branch)



## Introduction

For a century after the first Parliament met at Newark in 1792, the Assemblies of the Provinces of Upper Canada, Canada, and Ontario convened in marquee tents, courthouses, hotels, hospitals, and, of course, buildings constructed expressly for the Legislature.

During the late eighteenth and early nineteenth centuries, the history of the parliament buildings is one of constant and often unexpected change. The earliest town plans for York (later Toronto) designated a prime location for the young province's government building — a tract of land located on the waterfront, directly served by several thoroughfares including Palace Street (now King Street). But delays in construction and other unforeseen events forced the Assembly to become peripatetic.

Since Confederation, the Legislative Assembly of Ontario has resided in parliament buildings on Front Street and at Queen's Park. The rapidly deteriorating Front Street building, which had accommodated various parliaments during the nineteenth century, eventually prompted the construction of the present provincial seat of government. Officially opened on 4 April 1893, Queen's Park has served as an administrative and political centre for the past century.

This book traces the history of the province's "palaces of government," a phrase used by notables such as Peter Russell and Rev. John Strachan to describe the earliest parliament buildings. During research for *Whose Servant I Am: Speakers of the Assemblies of the Provinces of Upper Canada, Canada and Ontario, 1792 - 1992*, I unearthed many primary sources detailing the life of the Queen's Park Legislature. These sources provided new insights into Ontario's political history.

The parliament buildings in Ottawa have been well documented in other histories and the current Ontario parliament building is the subject of historian Roger Hall's forthcoming book, *A Century to Celebrate, 1893-1993*. I have therefore focused primarily on the earlier legislative buildings.

Throughout research and production of this book, many individuals gave me assistance and support. The staff of Queen's University Archives in Kingston, Ontario, and of the National Archives of Canada in Ottawa were helpful in locating some obscure primary source material. Peter Honour, Manager of Public Relations at the Toronto General Hospital, graciously



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allowed me to consult the Hospital's archival materials. Leon Warmski, Karen Bergsteinsson, and Tim Sanford of the Public Service Section of the Archives of Ontario were indispensable allies during my survey of various departmental and public papers. I am grateful to Cynthia Smith, Director of the Legislative Research Service, for giving me the opportunity to explore this subject. Elaine Campbell, Research Officer, kindly allowed me to consult her extensive notes on Queen's Park. The reference staff of the Legislative Library greatly assisted me. Merike Kalm took on the daunting task of readying the manuscript for publication and I am thankful for her diligence and patience. Finally, I am greatly indebted to Edward Israel, Research Assistant, editor and indexer Elizabeth Hulse, and Wyley Powell whose careful reading of the text, constructive comments and assistance in putting together the final manuscript were invaluable.

Clare A. Dale  
February 1993





## **The Upper Canada Period, 1792-1841**

### **1792-1796: Newark**

Any discussion of the history of the legislative buildings must begin with the inception of the House of Assembly of Upper Canada at Newark in 1792. Newark, a frontier garrison, was settled by United Empire Loyalists in 1778 but gained a greater political significance in 1791.<sup>1</sup>

*The Constitutional Act, 1791*, established the provinces of Upper and Lower Canada and provided for their government through the offices of a Governor or Lieutenant-Governor, an appointed Legislative Council, and an elected Legislative Assembly for each province.<sup>2</sup> In the case of Upper Canada, the province was to be administered by a Lieutenant-Governor, a Legislative Council consisting of no fewer than seven Members, and an Assembly which, in its earliest stages, was to consist of at least 16 Members representing Upper Canada's 19 counties.<sup>3</sup>

The Act also anticipated the geographical and political expansion of the young colonies, and provided for the creation of new counties and districts and with them new parliamentary seats.<sup>4</sup> However, the Act failed to provide an equally important aspect of the political life of Upper Canada: a capital. Upper Canada needed a central location from which its political administration and the management of its social and economic development could be carried out. Although the area surrounding Fort Toronto was favoured for this honour, the province's new Lieutenant-Governor, John Graves Simcoe, chose Newark as the political and administrative centre of Upper Canada.

Simcoe's decision was influenced by several factors, not the least of which was Newark's military character.<sup>5</sup> Indeed, the area surrounding Fort Niagara seemed a logical choice for a military man. Not only would the fort afford the settlement protection from any American hostilities, but the existence of the small, growing community of soldiers and their families would provide a locus for further military and Loyalist immigration.<sup>6</sup> Moreover, in an early memorandum to Henry Dundas, Simcoe wrote that the Niagara peninsula was "the most favourable situation in nature for a British Colony," offering superior agricultural conditions and a choice geographic location.<sup>7</sup>



Thus, in 1792, the first Parliament of Upper Canada met at Newark. While the location of the Parliament's inaugural assembly is in question, four possibilities can be listed: Navy Hall, a marquee tent (under what is now referred to as Parliament Oak), Butler's Barracks, and the local Freemasons' Hall. There are arguments in favour of all of these sites and it is possible that the Assembly met in several or all of these places during the five sessions of parliament held in Newark.

Before 1778, Newark's principal structure, Navy Hall, was a military one. Located below Fort George on the west bank of the Niagara River, this four-building complex served as winter housing for naval officers serving on Lake Ontario, as a naval shipyard, as a storehouse, and as a wharf for Fort Niagara.<sup>8</sup> It also occasionally served as the place of worship for the local Anglican congregation.<sup>9</sup> With the arrival of the Lieutenant-Governor and his wife, however, these slowly deteriorating buildings took on a new function. As no suitable alternative existed in Newark, Navy Hall was to be transformed into the Simcoes' new residence. Renovations on the four structures began in 1791 but alterations were not completed by the time the Simcoes arrived in the summer of 1792.<sup>10</sup>

Navy Hall's plain, single-storeyed wood construction was typical of the period. Mrs. Simcoe pointed out in her diary that although the building was "as primitive in construction as the log cabin of the pioneers . . . the groups of four frame buildings . . . had at least the merit of being well built in every detail."<sup>11</sup> Other descriptions were less complimentary. In a letter to James Bland Burges dated 21 August 1792, Lieutenant-Governor Simcoe lamented that he was "miserably off for accommodation," and described Navy Hall as "an old hovel that will look exactly like a carrier's ale-house in England when properly decorated and ornamented."<sup>12</sup> Renovations seem to have done little to enhance the aesthetic value of the property. The French Duc de La Rochefoucauld, in a diary documenting his 1795 tour through the Canadas, offered a rather blunt assessment of Navy Hall, observing that Simcoe and his wife inhabited "a small miserable wooden house."<sup>13</sup>

Despite its obvious lack of architectural grandeur, it has been suggested that Upper Canada's first Parliament sat in the renovated Navy Hall during the five sessions that were held in Newark. This argument seems to be based largely on the strength of the fact that an assembly hall was included in the changes made to the structure in 1792. The addition of such a room would suggest that the first Parliament did, at some point, meet in Navy Hall. This



would seem to be a reasonable conclusion since it is known that meetings of the Executive Council of Upper Canada were held in this chamber.<sup>14</sup> The primary difficulty with this hypothesis lies not in a debate over the appropriateness of the venue but rather with the time at which these meetings allegedly occurred. Some of the Lieutenant-Governor's public and private correspondence, excerpts from his wife's diary, and sundry government documents attest to the fact that the renovations to Navy Hall were not completed until 1793. It is thus unlikely that the first session of the new Parliament was held there in 1792. It is highly probable, however, that some of the remaining sessions were conducted in this newly constructed addition to Navy Hall.

Related to this theory is one which contends that the very first session of the Upper Canadian Assembly was held in a marquee tent near Navy Hall. Since the repairs to Navy Hall were incomplete when the Simcoes arrived at Newark in July 1792, the Lieutenant-Governor ordered three marquee tents to be pitched on an adjacent hill which was, as Mrs. Simcoe noted, "in parts covered with oak bushes."<sup>15</sup> It has been suggested that the Simcoes occupied one tent, while the Attorney General lived in another. Little has been written about the occupant or occupants of the third tent, prompting speculation that it was used for the fledgling Parliament's first session.<sup>16</sup> Given the number of attendants likely present at the opening of Parliament — including the 16 Members of the Assembly, the Executive Council, representatives of the Six Nations and of the military, and a large group of local notables — it is highly probable this event would have been held outdoors to accommodate the crowd. If the colourful but undocumented description contained in William Kirby's *Annals of Niagara* is to be accepted, it would be necessary to hold the ceremonial opening of Parliament in this manner.<sup>17</sup> While such an event would be a picturesque addition to the province's political history, it is difficult to establish the veracity of such a theory.

In the aftermath of the American Revolutionary War, waves of Loyalist and military immigrants came to Newark, creating a construction boom in the small town. Among the first structures to be built during this period was Butler's Barracks. In order to circumvent the development of ill-will between the regular soldiers who staffed the fort and the more highly paid Butler's Rangers, General Haldimand had the barracks placed at some distance from Fort Niagara. The most logical location was on the west bank of the Niagara River close to Navy Hall.<sup>18</sup> Work on this structure began in November 1778 and was completed in the spring of 1779. The barracks

consisted of two log buildings which could accommodate approximately 300 men.<sup>19</sup>

Like Navy Hall, Butler's Barracks provided a possible, ready-made home for the new Assembly. Because the barracks were considered to be unsuitable to house the Assembly (the complex was already occupied by the Rangers), in 1793 the Lieutenant-Governor ordered repairs and additions to accommodate the Legislature at a later date. In a June 1793 letter to Alured Clarke, Lieutenant-Governor of Lower Canada, he made his reasons for these expenditures clear:

the additions I have made to Butler's Barracks for the meeting of the Legislature of the country . . . are absolutely necessary in themselves, but being in a civil light [are] only considered as temporary.<sup>20</sup>

While the Barracks was to be used for the Legislature in the immediate future, it was not to be the Assembly's permanent home. Indeed, no occupancy date was proposed in this correspondence and, as this letter was written mid-way through the Assembly's second session, the earliest possible occupancy date would have been at the end of the second session or at the beginning of the third one. In either case, the period of the Assembly's tenancy — if such an event occurred — could have been no longer than two full sessions.

Of the four candidates, it is most likely that the Assembly of Upper Canada held its inaugural sessions in Freemasons' Hall. Located at the corner of King and Prideaux Streets, the Hall was erected in 1791. The two-storey building had a dual purpose: the upper chamber was to be used for Masonic services while the lower chamber was used as a public assembly hall.<sup>21</sup> It has been suggested that the ceremonial opening and the first sessions of the inaugural Parliament were held in this lower chamber. Duncan Campbell Scott, in his article on the possible meeting places of the province's first Parliament, argues that this conclusion is a logical one. He stated that

this lower room was in fact the only convenient place where the [opening] ceremony could have been performed. Fort Niagara was in American territory, although the British flag still flew above it; there was



no accommodation at Butler's Barrack's [sic]  
... [and] Navy Hall was in course of  
reconstruction.<sup>22</sup>

The lack of more suitable and, more important, available alternatives suggests the acceptance of Freemasons' Hall as the residence of Upper Canada's first Parliament.

A General Order issued by E.B. Littlehales, Major of Brigade and Secretary to the Executive Council, on 16 September 1792, also seems to support this contention. In its brief outline of the military ceremony which accompanied the opening of the first Parliament, the order provides convincing evidence of the Assembly's tenancy at Freemasons' Hall. It stated:

Major Smith will give directions to Captain Glasgow of the Royal Artillery to fire a Royal Salute when His Excellency Lt.-Gov. Simcoe goes to open the House of Assembly tomorrow morning the 17th. A subaltern Guard of the 5th Regiment [is] to mount tomorrow morning at Freemason's Hall [sic].<sup>23</sup>

While this piece of evidence is not conclusive proof of the Assembly's residence at Freemasons' Hall, the Assembly's move to Butler's Barracks is often cited as a clear indication of the Hall's parliamentary status. The lack of other, more suitable locations restricted the government's choices for the location of the province's first Assembly. Given these restrictions, the upper chamber of the Freemasons' Hall would provide a ready-made home for the inaugural Parliament. However, it has been proposed that by the end of the Assembly's first session, Freemasons' Hall was considered an inappropriate venue for the Assembly.<sup>24</sup> While few sources specify the reasons for the drive to relocate, some speculate that the public would not continue to tolerate the provincial government residing in a building owned by a private society. Thus, Simcoe's 1793 desire to renovate Butler's Barracks has been portrayed as an act of both military and political necessity.

### **1797-1841: York/Toronto**

Newark's political preeminence was brief. In the wake of the American Revolution, mounting tensions between the United States and Britain created

a volatile political situation along the Niagara frontier. Newark's proximity to the border presented the provincial government with a pressing political and military dilemma. Situated across the river from the new American Fort Niagara, the Upper Canadian capital was a prime target for invasion should war between the two nations occur.<sup>25</sup> Moreover, despite a Canadian military presence within the area, Newark was lamentably ill-prepared for an attack.

By 1793, this military deficiency was apparent to the provincial administration and Lieutenant-Governor Simcoe had become concerned about Newark's vulnerability. In a letter to the Duke of Richmond, he noted that these military deficiencies were sufficient reason to move the capital from the Niagara Region to another location:

It is very weak & were the whole military force of the Colony assembled there [at Newark], It would not be sufficiently numerous for its defence — There is no necessity for the United States to possess themselves of the Lake Navigation for this purpose as their settlements are sufficiently near, the roads are easy to be opened & by driving of their cattle they can readily subsist their troops. In the case of any attempt, Shipping would have no place to retire to but *York*--as I understand, & it seems reasonable that the Militia of the states would attack, or blockade all our forts . . . <sup>26</sup>

After much deliberation and compromise, the decision was made to move the capital from Newark to Toronto, later known as York. Simcoe originally intended that Toronto be the home of his naval arsenal, not the new capital; for this latter distinction, the Lieutenant-Governor preferred the town of London. Lord Dorchester, on the other hand, favoured Kingston for the new capital. Thus, while neither Dorchester's nor Simcoe's first choice for the honour, Toronto was regarded as a suitable compromise.<sup>27</sup> The actual transplantation of Parliament, however, did not occur until a few years later.<sup>28</sup>



The new capital had been of strategic importance since 1750, first to the British and later to the Upper Canadian government. Originally a French possession, Fort Toronto was built at the foot of what is now Dufferin Street. Constructed in order to intercept local Indians while in transit to the British trading post at Oswego, this fort was destroyed by the British in 1759.<sup>29</sup> While under British control, the area around Fort Toronto became a small trading centre which enjoyed a modest but consistent clientele. Much of this development was due to the fact that the Toronto post was part of the portage route used by the Hudson's Bay Company's rival, the North West Company.<sup>30</sup>

The outbreak of the American Revolutionary War in 1776 rekindled interest in the Humber River as a route to the northwest. Fort Toronto — the main trading post along this route — benefited from this renewed interest. To encourage the growth of this area, the British government made a concerted effort to settle the region: on 23 September 1787, the Crown purchased 250,880 acres of land from three Mississauga chiefs for the equivalent of £1,700 in cash, barrels of cloth, axes, and other goods. This parcel of land became the nucleus of the town of Toronto and its surrounding townships.<sup>31</sup> A small but growing settlement consisting of about 12 city blocks "laid out at the extreme eastern end of the harbour" was already in existence when Lieutenant-Governor Simcoe surveyed the area in 1792.<sup>32</sup>

Upon his arrival in the summer of that year, Simcoe established makeshift military headquarters at what is now Fort York.<sup>33</sup> Initially, the Lieutenant-Governor's living conditions seemed little different from those he had experienced at Newark. Peter Russell, Receiver General of Upper Canada and the future Administrator of the Province, suggested in a letter to his sister that she could have "no conception of the Misery in which [the Simcoe's] live," for they had only a "canvas house." He added that "an open Bower covers us at Dinner — a tent with a small table [and] three chairs serves us for a council room."<sup>34</sup>

From the tents which served as his temporary home, Simcoe supervised the transformation of Toronto from trading centre to military arsenal.<sup>35</sup> This transformation, however, was not merely restricted to the construction of buildings and to the establishment of a new political centre. On 26 August 1793, the Lieutenant-Governor declared that the name of the future capital would be changed immediately. A General Order issued on this date by E.B. Littlehales, Major of Brigade and Secretary to the Executive Council, announced that

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His Excellency . . . having received official information of the success of his Majesty's arms under His Royal Highness the Duke of York, by which Holland has been saved from the invasion of the French Armies; . . . [has ordered] that on the raising of the Union Flag at Twelve O'Clock to morrow, a Royal Salute of Twenty one Guns is to be fired . . . in respect to his Royal Highness, and in commemoration of the naming of this Harbour, from his English Title, *York*.<sup>36</sup>

As was his custom, the Lieutenant-Governor cemented the new capital's political and cultural relationship with Britain by substituting an English place name for an Indian one.<sup>37</sup>

One of the earliest municipal projects Simcoe initiated was the construction of the first of five sets of parliament buildings that housed the Upper Canadian Assembly during its 44 year residence at York. In a letter to the Duke of Portland, Simcoe outlined his plans for the development of the site:

I am preparing to erect such Buildings as may be necessary for the future meeting of the Legislature. The plan I have adopted is, to consider a future Government House, as a Center, & to construct the wings as temporary Offices for the Legislature, purposing that as soon as the Province has sufficient funds to erect its own Public Buildings, that they may be removed elsewhere.<sup>38</sup>

The site of the first parliament buildings was

but a stone's throw from the waters of the bay to the south, and the forest to the north and east, while not far to the west there stood a grove of fine oak trees . . . The buildings faced westward and commanded a full view of the harbour in that direction.<sup>39</sup>



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Work on the buildings which would constitute the parliamentary complex, incorporating the provincial courthouse, began in 1794. Although it is difficult to establish the exact date on which construction began, an advertisement for carpenters to work on the "Public Buildings" to be built at York appeared in the *Upper Canada Gazette* on 10 July 1794. The *Gazette* published a similar advertisement weekly during the final three months of 1796. Hence, while construction on the parliament buildings seems to have begun sometime in the summer of 1794, it is evident that a shortage of qualified labourers helped to prolong the work.<sup>40</sup> In any case, these buildings were not completed until 1797.

Architecturally, the parliament building and the courthouse were identical. Made of locally fired red brick and each measuring 40 by 24 feet, they were connected by a covered walkway. These two buildings were to be the north and south wings of a larger complex which was to have incorporated the Lieutenant-Governor's residence, creating the larger "Palace of Government." The construction of the residence was abandoned when estimates for Government House reached nearly £10,000.<sup>41</sup> By the time construction ended, the late eighteenth-century Upper Canadian "Palace of Government" consisted of two rather plain buildings.<sup>42</sup>

The north wing of this modest pair, which housed the Upper Canadian House of Assembly, witnessed many of the province's legislative growing pains. More interesting, perhaps, were events that took place outside its offices. For example, it was on the grounds of the parliament buildings in 1800 that Major John Small, Clerk of the Executive Council, fought a duel with Attorney General John White. Small challenged White when the Attorney General refused to withdraw slanderous comments about the virtue of Major Small's wife. The Clerk of the Executive Council shot White in the hip; the Attorney General later died of the injury. As duelling was illegal under British and, therefore, Canadian law, Small was arrested and charged with murder. He was tried on this charge on 20 January 1800 and was subsequently acquitted.<sup>43</sup>

By 1804, it had become evident that the Executive Council, the Assembly and the courts were in need of more spacious accommodation as York's two legislative buildings were used not only for their intended political and judicial purposes but also for public gatherings.<sup>44</sup> Furthermore, as the province's population grew, so too did the Assembly and the Executive Council. The House provided for new quarters by passing a bill on 25 February 1804 which allotted £400 annually for this purpose.<sup>45</sup> Of course,

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such a small amount was inadequate to cover the cost of repairs or construction and the need for supplemental assistance quickly became apparent. Lieutenant-Governor Peter Hunter brought this matter to the attention of the British government in a letter to Baron Hobart, the Colonial Secretary. In it Hunter intimated that, because of a precedent set by the British government itself, the Assembly of Upper Canada was entitled to some assistance:

As to the Building at present appropriated to the meeting of the two houses of the Legislature . . . it only consists of two Rooms, erected about 8 or 9 years ago, as a small part of what was at that time intended for a Government House.

This Building is also obliged to be made use of for many other public purposes, among the Rest as a Church, it being the only place which the Inhabitants of the Town could meet in for public Worship.

I beg leave further to state to your Lordship that I conceived the present Address to His Majesty [for financial aid] has been brought forward by the two houses here in consequence of the very liberal aid which has been afforded by the parent Country to the Province of Lower Canada to enable them to erect their Courts of Justice in Quebec and Montreal . . . [The King's subjects in Upper Canada] thought that they might with humble Confidence rely on His Majesty's gracious Bounty to them, more especially as from the infant State of this Province, it must necessarily stand in greater Need of Protection and Assistance, than the Lower Province so much older and of greater [financial] Ability within itself.<sup>46</sup>

Despite the province's necessity, financial assistance was not forthcoming. In response, the Assembly sought its own means of financing the new public



buildings and passed legislation for this purpose. By 1808, however, it had become clear that the province could not afford to carry out this plan. On 5 February 1808, *A Bill for repealing an Act passed in the forty-fourth year of His Majesty's Reign, for erecting Public Buildings at York* was passed in the House.<sup>47</sup>

Before new legislation providing for construction of a new seat of government could be enacted, the parliament building and the courthouse were destroyed in an American attack on York on 27 April 1813.<sup>48</sup> On the morning of 26 April, an American invasion fleet consisting of 14 ships entered York harbour; by mid-afternoon, it was anchored near Fort York. York was, in fact, the Americans' secondary target; the planned attack on the original objective — Kingston — had been "abandoned, probably from reports of the increased strength of the British."<sup>49</sup>

The American occupation and the capitulation of York's inhabitants occurred in an orderly fashion. An entry in John Strachan's letter book dated 2 August 1813 relates the civility with which the surrender agreement was reached:

About four boats full of troops landed at the Garrison and we (having a white flag) desired the first Officer we met to conduct us to [the American Commander] Commodore Chauncey. We mentioned to the Commodore that the Inhabitants of York consisting chiefly of women and children were alarmed at the approach of his fleet & that we had come to know his intentions respecting the town that if it was to be pillaged or destroyed we might take such measures as were still in our power for their removal & protection. We added that the town was totally defenceless the militia being still on parole [sic] . . . Commodore Chauncey replied that it was far from his intention to molest the Inhabitants of York in person or property . . .<sup>50</sup>

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The manner in which the American commander was to conduct such negotiations had been outlined in a Brigade Order of 25 April 1813 which stated that

the unoffending citizens of Canada are many of them our own countrymen, and the Provinces have been forced into the war. Their property therefore must be held sacred, and any soldier who shall so far neglect the honour of his profession as to be guilty of plundering the inhabitants, shall, if convicted, be punished with death.<sup>51</sup>

In spite of such chivalric rhetoric, however, the public stores and buildings of York were considered honourable targets for the American force. Also contained in the Brigade Order was an assurance that "should they [the troops] capture a large quantity of *public* stores (emphasis added)" Commodore Chauncey "will use his best endeavours to procure them a reward from his government."<sup>52</sup>

While the terms of capitulation may have specified "that all private property shall be guaranteed to the citizens of the town of York," no such exemption was explicitly granted for *public* property — nor could it be according to contemporary military customs.<sup>53</sup> Given these facts, the destruction of the parliament buildings by the American troops is not surprising. York's inhabitants condemned the burning and ransacking of the public buildings. Justly concerned their own property would be pillaged — some was looted despite the terms of the city's capitulation<sup>54</sup> — many citizens were outraged at the way in which many public buildings were despoiled.<sup>55</sup> Included in the booty taken from the burned parliament buildings were the ceremonial mace (the symbol of the Assembly's power), the Speaker's wig, the flag which flew over the building, and, according to a long-standing but undocumented supposition, a human scalp which allegedly was found "suspended over the Speaker's chair."<sup>56</sup> Although the majority of these and other articles taken during the looting of the city were never returned, the Assembly's ceremonial mace was restored to the provincial government by the American government more than a century later, in 1935.<sup>57</sup>

The destruction of the parliament buildings left the Legislature and the Executive Council without a residence. Thus, in 1814, the third session of the sixth Parliament opened in Jordan's York Hotel. Built some time after



1796, Jordan's was the largest of York's six hotels and was situated near the corner of what are today King and Parliament Streets. The two-storey structure had a high pitched roof which was broken by a row of dormer windows. The most important of its architectural specifications was the small hotel's ballroom, one of the few chambers in town large enough to house the Assembly.<sup>58</sup> This was not the first time that the hotel had been associated with the provincial government: well-known for its delicious food and comfortable accommodations, the hotel had been the temporary home of many legislators during previous sessions of Parliament.<sup>59</sup> Only one session of the Assembly was held in the ballroom of Jordan's York Hotel.

Beginning in 1815, five sessions were held in a private residence commonly referred to as The Lawn. Located on the northwest corner of what are now Wellington and York Streets, the house was later inhabited by Chief Justice William Henry Draper. While the Journal entry for 18 February 1818 clearly indicates the Assembly's intent to purchase this property for the continued use of the Legislature, the transaction was never finalized perhaps due to questions concerning legal title to the property.<sup>60</sup> Consequently, it was during the 1818 session that proposals for the construction of a new set of parliamentary buildings were submitted.

The construction of these much needed buildings had likely been postponed because of the government's desire to move the provincial capital from York to Kingston. The reasons behind this proposal were primarily military: while York had been twice taken by American forces during the War of 1812, Kingston had never been threatened during the hostilities. Not surprisingly, many of York's inhabitants opposed the move. Several prominent citizens, including Judge William Dummer Powell and Dr. John Strachan, wrote of their dissatisfaction in letters to government officials. Strachan was vehement in his objection to the government's proposal and stated that "the determination of the Ministry to remove the seat of Gov[ernmen]t to Kingston is ruinous to the Inhabitants of York."<sup>61</sup> He submitted that, if such a plan were announced,

it will excite great alarm through the whole Province. Nothing will convince the people, but that it is the Prelude delivering upper [sic] Canada into the hands of our enemy.<sup>62</sup>

Ridiculing the notion that military concerns should be paramount in such a decision, Strachan insisted that only by consulting the people of the province

could a valid resolution be achieved.<sup>63</sup> Other correspondence voiced similar opinions, including fears that the resulting social, economic and juridical turmoil would only facilitate American annexation of Upper Canada.<sup>64</sup>

Once the proposal to move the provincial capital to Kingston had been rescinded, interest in building a new home for the House of Assembly increased. In response to the government's 1808 repeal of legislation providing a £400 annuity for the construction of new parliament buildings, the Legislature passed a joint address to the Hon. Samuel Smith, Administrator of the Province of Upper Canada, on 24 February 1818.<sup>65</sup> Rather than demand funding for the project from Britain, the Legislature advocated that Smith procure

plans and estimates to be laid before the Legislature at its next session, of buildings to be erected for the accommodation of His Majesty's Representative, and for buildings with necessary apartments and offices for the reception and sitting of the Legislative Council and Assembly of this Province.<sup>66</sup>

Moreover, the address stated that

the Legislature will make good the expense of procuring such plans and estimates, and will also appropriate a sum of money to defray the expense of erecting such buildings, so soon as the funds of the Province will admit.<sup>67</sup>

A bill for this purpose was consequently drawn up, debated and ultimately passed by the House.<sup>68</sup>

By the following year, plans were under way to build a new structure at the foot of Parliament Street, on the site of the previous parliament building. In their 1819 Report to the Assembly, Peter Robinson<sup>69</sup> and Dr. Grant Powell,<sup>70</sup> the Managers of Public Buildings, proposed that a new building be erected in such a way as to incorporate the existing buildings, which would be repaired. The managers advised that such an arrangement



would in their opinion afford all the accommodation at present actually required for the convenience of the Legislature, at the same time keeping in view the probability of more extensive provision for that purpose being necessary at some future day.<sup>71</sup>

Repairs to the ruined parliament buildings were initiated before the tabling of the Managers' *Report* in the House. The *Report* was accepted by the Legislature and, by 1820, these repairs and the construction of the additional building were completed.

The new parliament building's appearance was rather modest; it has even been suggested that the red brick, two-storey structure more closely resembled a hotel than a seat of government.<sup>72</sup> Nevertheless, this edifice was not to be the Assembly's permanent home. On 30 December 1824 the main building and north wing of the "Parliament House" were destroyed by fire. In a letter written immediately after the event, Dr. Grant Powell, then Clerk of the House, noted that the fire had apparently started in the north wing's offices and quickly spread to the centre building.<sup>73</sup> It was ultimately discovered that, unlike the blaze that had ravaged the previous parliament buildings little more than ten years earlier, the fire had likely been caused by sparks from an overheated chimney flue. While the contents of the Legislative Library were saved from destruction, as was some of the building's furniture, several journals of the House perished in the blaze.<sup>74</sup> Thus, the Upper Canadian House of Assembly was forced once again to relocate in 1825. For the next four years, the Legislature held its sessions in the York General Hospital.<sup>75</sup>

The York General Hospital (later the Toronto General Hospital) was the legacy of one of York's first philanthropic organizations, the Loyal and Patriotic Society of Upper Canada. The Society was founded in 1814 to give aid to the wounded and to the families of men killed in action and to provide recognition of distinguished military service.<sup>76</sup> With the cessation of hostilities in 1815, it became apparent to the citizens of York that a civilian hospital was greatly needed "to accommodate those who did not have the resources to look after themselves."<sup>77</sup> The task of funding such a structure fell to the members of the Loyal and Patriotic Society. The Society contributed £4,000 towards the construction of the hospital with the proviso that the government provide land grants for the building and that an endowment be set up to maintain the premises. Shortly thereafter, the

necessary land grants were given, a board of trustees was established,<sup>78</sup> and a scheme by which the public could support the venture by subscription was initiated.<sup>79</sup>

The hospital, a two-storey, red brick "plain Georgian-style structure" was built in 1819. It was situated on a large block of land bounded by King, John, Adelaide and Peter Streets. Originally intended to be a part of the new Government House's main grounds, the hospital's central building measured 107 by 60 feet and "showed recessed galleries on the north and south sides and [had] a flattish hipped roof."<sup>80</sup> This structure was the first recorded contract for John Ewart, a Scottish born architectural engineer who later designed other buildings in York, including St. Paul's Church, Osgoode Hall and the residence of Samuel Peters Jarvis, Sr.<sup>81</sup>

Even though construction of the hospital was completed by 1820, high production costs drained most of the financial resources allocated for the project. The hospital remained closed because there were insufficient funds with which to purchase the necessary medical equipment. By 1824 this situation had not changed and the hospital continued to stand empty, making it the best and the most obvious choice for the Assembly's temporary quarters. At the 6 January 1825 meeting of the hospital's board of trustees, a letter from Lieutenant-Governor Peregrine Maitland requesting the appropriation of the hospital "for the use of the Legislature" was read. Not surprisingly, his request was granted by the board which "unanimously and cheerfully concurred in the arrangements."<sup>82</sup>

The Legislature's occupation of the hospital was not unconditional. In their dealings with the government, the hospital's board of trustees frequently stressed the temporary nature of the Legislature's tenancy.<sup>83</sup> Shortly after its move to the hospital, therefore, the Assembly began to make arrangements for the construction of a new parliament building. In 1825, a select, three-Member committee was established to report on the "proper measures to be adopted for providing accommodation for the sitting of the Legislature."<sup>84</sup> One of the committee's first acts was an architectural competition; the design by Joseph Nixon was selected from the four submitted and he was awarded the contract.<sup>85</sup> The select committee presented its findings to the House in 1826 and recommended

that it would not be advisable to attempt  
repairing the parliament house . . . not only  
because . . . it would be injudicious to apply



so considerable a sum of money as would be necessary in the attempt to repair a building of which the remaining walls might not be found to be of much value, but because they do not think the situation so eligible as one which they hope may be procured in the western section of the town.<sup>86</sup>

A plan and an estimate for construction of the new legislative building was tendered by architect Thomas Rogers of Kingston shortly thereafter.<sup>87</sup> Unfortunately for Rogers, his estimate of between £6,000 and £7,000 was greater than the amount the Assembly had designated for this purpose. Although Rogers subsequently revised his assessment to approximately £5,000, the Legislature was unable to meet this cost and the project was temporarily shelved.<sup>88</sup>

Despite a great deal of architectural activity, it did not seem as if the Legislature was able or even willing to vacate the hospital in 1828. The growing necessity of providing medical care for an expanding urban population forced the hospital's board of trustees to petition the Assembly, through the Lieutenant-Governor, to vacate the hospital and to allow it to be used for its original purpose:

It was well known to Your Excellency, how great a number of poor emigrants resort hither every summer, and how many cases of extreme distress from sickness arise every year, for which no relief exists, but in the charitable exertions of the humane inhabitants of this town.

As patron of the society for their relief, Your Excellency, in common with most of the trustees who are members of that society, is well aware of the truth of the representations made by the medical gentlemen, of the misery to which the sick are exposed in this town, for want of a proper place for their reception, and of the great inconvenience and expence [sic]

which, from that circumstance, attends the benevolent efforts to relieve them.

The trustees are, from these circumstances, induced to beg that Your Excellency will represent to the Legislature the necessity of making such provision for their future accommodation, as may enable the trustees speedily to apply the hospital to its proper purpose . . .<sup>89</sup>

Perhaps as a result of the board's resolve, the Assembly took up residence in the York Court House in 1829.<sup>90</sup> The York General Hospital opened its doors to the public on 3 June 1829.

From 1829 until 1832, the sessions of the Legislature were held in the York Court House. During these years, many steps were taken to ensure the swift construction of a new set of more durable parliament buildings. As recommended in the 1826 select committee report, the new Parliament House was to be constructed at Simcoe Place, a parcel of land bounded by Front, John, Simcoe and Wellington Streets.<sup>91</sup> Matthew Priestman was contracted to erect the buildings at the cost of £5,400 by 1 January 1831. Priestman failed in his contract and John Ewart was brought in to superintend the construction which was, by this time, one year behind schedule. The work was completed in 1832 at a cost of £10,000.<sup>92</sup>

Fortunately, much is known about the architectural structure and layout of the 1832 Parliament buildings from surviving contemporary accounts of the construction, and detailed floor-plans and pictures.<sup>93</sup> The buildings were situated on the southwest corner of Front and Simcoe Streets, an intersection commonly referred to as "Education, Legislation, Damnation and Salvation" in reference to the edifices which stood at the intersection's four corners.<sup>94</sup> The parliament buildings — the "Legislation" of this group — consisted of three two-storey red brick buildings. The centre structure, with dimensions of 133 by 90 feet, was flanked by one east and one west wing, each of which measured 90 by 55 feet. Several prominent local architects contributed to the design and construction of these buildings including James G. Chewett (who designed York's municipal offices), John G. Howard (who became Toronto's City-Surveyor in 1836), and John Ewart.<sup>95</sup>



*"The Palaces of Government"*

Rooms in the east and west wings were used as offices for the Legislature's various administrators and for support staff. The centre structure contained the chambers of the Legislative Assembly to the east of the main hall and the Legislative Council to the west. Both chambers were two storeys high and were lit by "tall, stone-framed and pedimented windows across the front and along the side."<sup>96</sup> The floor plans drawn by Samuel George Curry, a prominent Toronto architect, made provisions for a "Ladies' Gallery," a "Press reporters' room," a library and reading room, and offices for translators and administrators.<sup>97</sup>

## The Union Period, 1841-1867

### 1841-1843: Kingston

The Legislature of the Province of Upper Canada resided in these Front Street buildings until 1840. Shortly thereafter, the Assembly once more moved to new quarters — not as the result of the buildings' accidental destruction but rather as the consequence of a significant political event.

*The Union Act, 1840*, joined the provinces of Canada East and Canada West (formerly Upper Canada and Lower Canada) into a single legislative entity — the Province of Canada.

The Act proclaimed that

it is necessary that Provision be made for the good Government of the Provinces of Upper and Lower Canada, in such Manner as may secure the Rights and Liberties and promote the Interests of all Classes of Her Majesty's Subjects within the same . . . <sup>98</sup>

The Act established a system of government similar to the one used to administer the two provinces. The difference lay in the provision for "One Legislative Council and One Assembly" for the united province.<sup>99</sup>

The Act was formulated and passed largely in response to the recommendations made by Lord Durham in his 1839 *Report on the Affairs of British North America*. Durham's *Report* clearly reflected the questions raised by the provinces' demands for responsible government and the problems created by the political and cultural turmoil of the Rebellion of 1837. The *Report* — after tracing the development of the social and political tension which provoked the violence of the late 1830s — concluded that in order to achieve stability the provinces should be united. Astutely noting that "the maintenance of an absolute form of government on any part of the North American Continent can never continue for any long time,"<sup>100</sup> Durham then advanced that

the only power that can be effectual at once in coercing the present disaffections, and hereafter obliterating the nationality of the



French Canadians, is that of a numerical majority of a loyal and English population . . .<sup>101</sup>

Fear of possible reprisals by the French Canadian Members in the form of legislative obstructions, a desire to quell French Canadian nationalism and Durham's own staunch belief in the rehabilitative nature of a political union<sup>102</sup> led him to conclude that

. . . no permanent or efficient remedy can be devised for the disorders of Lower Canada except a fusion of the Government in that of one or more of the surrounding Provinces; and as I am of opinion that the full establishment of responsible government can only be permanently secured by giving these Colonies an increased importance in the politics of the Empire, I find in union the only means of remedying at once and completely the two prominent causes of their present unsatisfactory condition.<sup>103</sup>

Most important for the achievement of this socio-political union of the English and French, *The Union Act, 1840*, established a new united parliament in which Canada East and Canada West each received an equal number of seats.<sup>104</sup> While advocating the anglicization of the French Canadian population as a means of securing political stability, Durham did not support equitable legislative representation for the two groups. In his *Report* he clearly stated that equity would be a breach of political decency and only create an atmosphere of distrust:

I am averse to every plan that has been proposed for giving an equal number of members to the two Provinces, in order to attain the temporary end of out-numbering the French, because I think the same object will be obtained without any violation of the principles of representation, and without any such appearance of injustice in the scheme as would set public opinion, both in England and America, strongly against it; and

because, when emigration shall have increased the English population in the Upper Province, the adoptions of such a principle would operate to defeat the very purpose it is intended to serve. It appears to me that any such electoral arrangements, founded on the present provincial divisions, would tend to defeat the purposes of union and perpetuate the idea of disunion.<sup>105</sup>

The union created a difficulty previous administrations had not faced: the new government had to provide a permanent seat of government. Rather than deal with this issue directly, however, the government avoided designating any one city in either province as capital, thus adding fuel to what had been only a smouldering political fire. Section XXX of *The Union Act, 1840*, entrenched this irresolution within the political fibre of the Union. It stated

That it shall be lawful for the Governor of the Province of Canada for the Time being to fix such Place or Places within any Part of the Province of Canada . . . as he may think fit, such Times and Places to be afterwards changed or varied as the Governor may judge advisable and most consistent with general Convenience and the Public Welfare, giving sufficient Notice thereof . . .<sup>106</sup>

Lord Sydenham, then Governor-General of Canada, supported this approach and was unwilling to allow the Parliament "any power to alter the [Crown's] Prerogative" as to where the assembly would be held.<sup>107</sup> Perhaps as part of the Governor's desire to encourage French Canadians' assimilation into English society, he favoured a city within (predominantly English) Canada West for the honour of becoming the capital even though Montreal was large, cosmopolitan, centrally located and, more important, the city favoured by Downing Street in London for the honour.<sup>108</sup>

Dismissing York (now Toronto)<sup>109</sup> as a "very small place" that was "too cold and too far" to be the provincial capital, Sydenham ultimately decided that Kingston was an acceptable alternative.<sup>110</sup> The availability of land in



Kingston and the fact that government buildings could be built at considerably less expense than in Montreal were important factors in his decision.<sup>111</sup> The resolution to move the seat of government to this location was not immediately announced, however. The reason for Lord Sydenham's hesitancy is clearly outlined in a letter to Lord John Russell, the Colonial Secretary:

not a soul suspects my intention of holding the Parl[iamen]t. at Kingston and making it the seat of Gov[ernmen]t.—on the contrary I have purposely discouraged the idea, in order to pick up for the Province the land which was necessary for Public buildings &c, in which I have just succeeded to my heart's content.<sup>112</sup>

Nevertheless, contemporary correspondence shows that Sydenham's intentions did not pass unnoticed, at least by the political and social elites of Upper Canada.<sup>113</sup> Letters written between John Macaulay — founder of the *Kingston Chronicle* and later Legislative Councillor, Surveyor General, Civil Secretary, and Inspector General of Upper Canada — and his mother Ann display more than a passing knowledge of the proposed move. In a letter dated 5 February 1841, John observed that the people of Toronto "are sadly dispirited about [the moving of the government]" but added that "Toronto has had its day — Kingston will now have its turn."<sup>114</sup> A 10 February 1841 letter from John Kirby to John Macaulay also showed that despite Sydenham's alleged secrecy on the matter, it was becoming obvious that Kingston would be the new seat of government. Kirby told Macaulay that

Baron Grant's house is taken by the Governor General for one year . . . for his residence . . . this shews [sic] the first session of the United Legislature is to be here . . . This looks like the seat of government is [to] be fixed here.<sup>115</sup>

Even newspapers such as the *Quebec Gazette* hinted at the government's plans and ran articles which condemned or lauded the decision.<sup>116</sup>

### *"The Palaces of Government"*

In spite of Sydenham's self-perceived business acumen and the public knowledge of the government's plans, the suddenness of the relocation did not allow for new parliament buildings to be constructed in time for the opening of the first Union Assembly. The Parliament of the United Canadas, therefore, was forced to seek temporary accommodation for its first session in 1841. Following a precedent set by the Upper Canadian House of Assembly, the Union Parliament found temporary lodgings in the local hospital.

There are several similarities between the histories of the Kingston General Hospital, in which the Union Assembly sat from 1841-1843, and the York General Hospital, home of the Upper Canadian Parliament from 1825-1829. Not only did both buildings serve as temporary seats of government because of the inadequacy or unavailability of other accommodation, but both were the legacy of charitable organizations founded in the early nineteenth century.

The Kingston Compassionate Society was founded shortly after the War of 1812 "for the purpose of providing shelter, medical service and nursing for the sick poor," in particular war refugees who had gathered in the Kingston area.<sup>117</sup> Although the Lieutenant-Governor had reserved parcels of land for the erection of a hospital in 1819, it was not until 1821 — the year in which the Compassionate Society became the Female Benevolent Society of Kingston — that a hospital was established in the area. The philanthropic nature of this endeavour dictated that this institution act more as a locus for charitable activities than as a centre for preventative medical care. For example, lack of financial backing dictated that relief to the sick was furnished not in the form of money or medical care but in the form of "clothing, bedding, provisions, firewood or anything which can promote the comfort of the poor and destitute."<sup>118</sup>

By 1830 it had become evident that, owing to a rapid increase in population, Kingston was in need of a more permanent and well-funded medical institution. To this end, several of the area's most prominent citizens drew up a petition requesting financial aid from the provincial Parliament and brought it before the Upper Canadian Assembly on 22 January 1830. The Assembly quickly responded to the petition and on 6 March 1830 made a grant of £100 towards the construction of a hospital.<sup>119</sup> But when added to the amounts already collected for the use of the Benevolent Society, the government's contribution was insufficient to finance the construction of a hospital.<sup>120</sup> To increase the amount, a citizens' committee was organized in September 1831 to raise £1,000. The plan was successful: an 1832 list



shows that 80 individuals subscribed and that more than £1,000 were pledged.<sup>121</sup>

Perhaps in reaction to the citizens' initiative, the House of Assembly passed a bill on 28 January 1832 granting an additional £3,000 towards the building of a hospital in Kingston. The bill also established a three-member Commission

to superintend and manage the erection and completion of an hospital in or near the town of Kingston and to purchase or otherwise obtain, choose and determine the site thereof.<sup>122</sup>

The men appointed to the Commission — Dr. Edward Westrope Armstrong, Dr. James Sampson, and the Honourable John Macaulay — represented the medical and political communities of Kingston. Dr. Armstrong had been a practising physician in the Kingston area since 1820. Macaulay, a Kingston native, was a career politician and a member of the Legislative Council.<sup>123</sup> Dr. James Sampson, who had a distinguished career as a military physician, is perhaps the best remembered of the three commissioners. As well as holding several local administrative posts, Sampson became Chief Surgeon at the Kingston General Hospital in 1845 and served as the mayor of Kingston in 1839-1840 and again in 1844.<sup>124</sup>

The commissioners lost little time in designating a site for the new building. They chose to place the hospital outside the town's limits and, in 1832, seven acres were purchased for this purpose from Archdeacon George Okill Stuart for £540. The site was surveyed in June of that year and the following December a petition was submitted to the provincial Parliament soliciting an endowment of Crown lands that could provide a stable income for the institution. The petition was put before a select committee on 19 December 1833. The committee tabled its report the following spring and recommended that an address on the matter be sent to the Lieutenant-Governor, Sir John Colborne.<sup>125</sup> Although the York General Hospital had received similar endowments, the hospital's request was not granted.

Despite the lack of an endowment, construction of the building commenced in July 1833, with the target date for completion set for March 1835. Thomas Rogers, who had been involved with the construction of the 1832

parliament buildings at York and who had designed St. George's Church in Kingston in 1825, was hired as supervising architect. The building was to be identical to the recently constructed Montreal General Hospital; indeed, the commissioners had purchased a copy of the Montreal General's blueprints from Wells & Thompson of Montreal for £10.<sup>126</sup> Even though a recurrence of cholera in 1834 created a shortage of labour and delayed construction, the basic structure itself had been raised by 1835. The hospital was an 89 by 53 foot four-storey brick building that could accommodate 120 patients. It had two fronts, each of which was approached by a flight of stone steps. The south front, which faced the Lake, was used as the main entrance.<sup>127</sup>

Although the building's shell had been completed, chronic financial difficulties had left the hospital incomplete in other areas. For example, the building was partly painted, was without "essential indoor equipment and furnishings," and was situated on an unlandscaped lot. Additional funding from the provincial government seemed assured when the blockhouse, which had been used by the Female Benevolent Society as a winter hospital, burned down on 21 December 1835. The Assembly gave the hospital a grant of £500 but it was insufficient to cover all of the institution's financial needs.<sup>128</sup> The commissioners' inability to locate additional sources of revenue ensured that, by 1837, the Kingston General Hospital sat unused on the outskirts of the town.

With the eruption of the 1837 Rebellion in Lower Canada, the hospital was put to use as barracks for troops being sent to Montreal to quell the violence.<sup>129</sup> In 1839, a petition was presented to the provincial parliament by Kingston's Presbyterian community asking permission to establish a college in the now vacant hospital barracks. A bill granting a temporary lease was passed in the House on 6 February 1840 as

for want of the necessary endowment [the building] has not been used for the object contemplated, and in consequence thereof, the building is unoccupied and subject to damage and decay.<sup>130</sup>

Nevertheless, the trustees of Queen's College did not take up this offer. On 22 May 1840 they declined the use of the hospital insisting that the proposed lease was too expensive and too short, and that the necessary renovations would be too costly.<sup>131</sup>



*"The Palaces of Government"*

When the first Legislative Assembly gathered in Kingston in 1841, therefore, the empty hospital furnished the needed interim accommodation for the House. George Browne, an "architect, measurer and landscape gardener" who later built the Kingston Town Hall and Market, was hired to make renovations and additions to the hospital and to Alwington House.<sup>132</sup> The hospital had been leased to accommodate the Assembly at the sum of £300 per year "to be paid in the form of an annual grant for the support of the indigent sick in Kingston." Alwington House had been rented by the Governor-General from Archdeacon George Okill Stuart.<sup>133</sup>

Browne created separate chambers for the Legislative Assembly and for the Legislative Council by removing some of the partitions dividing the hospital's upper floors. Because the Assembly was now more numerous, Browne designed a chamber measuring 47 feet by 22 feet by 12 feet. Other additions including a well, a wood shed, a stable and various facilities for the Members' comfort were also constructed on site. Moreover, the two chambers were outfitted with desks, chairs and other necessary accoutrements of government such as a Speaker's platform and a reporters' box. The cost of these changes was estimated at £900.<sup>134</sup>

In addition to these renovations, a wing was added to Alwington House in order to accommodate Governor-General Sydenham's large household. Detailed accounts of Browne's progress on this project and its costs can be found in several letters sent by the architect to the Commissioner of Public Works. These letters chronicle the architect's difficulties with construction, including those Browne encountered after the destruction of the west wing of Alwington House by an accidental fire on 15 March 1841.<sup>135</sup> Browne also supervised the alterations that were made to the various other buildings in which the Union government's bureaucracy was to be housed. By the summer of 1841, these repairs and additions were largely completed. Browne's work was well received by Sydenham who noted that

I have really a very fair house for the Assembly and Council to meet in and the accommodation would be thought magnificent by Members of the English House of Commons. But the fellows in these Colonies have been spoiled by all sorts of luxuries, large arm chairs, desks with stationary [sic] before each man, & heaven knows what, so I suppose they will

complain. The House I lodge in is really a  
very nice one . . . and the Public Offices are  
far better than either at Montreal or Toronto  
. . . .<sup>136</sup>

It was in these surroundings that the first Legislative Assembly of the Province of Canada met on 14 June 1841.

### **1844-1849: Montreal**

Lord Sydenham's successors, Sir Charles Bagot and Sir Charles Metcalfe, slowly brought about changes in the political fabric of the Union. As a consequence of these changes, Kingston's future as provincial capital was called into question. The most significant of these innovations occurred during the brief tenure of Bagot as Governor-General; he took steps to discontinue the process of anglicization begun by Sydenham and to admit the French Canadians to power. In order to achieve his goal, Bagot made significant political concessions, including the first steps towards responsible government.<sup>137</sup>

The implementation of this new government policy resulted in the resurgence of debate on the location of the province's capital. Lord Sydenham had not attempted to ensure Kingston's political predominance and had, in fact, often stressed the temporary nature of its capital status in speeches and private correspondence.<sup>138</sup> Bagot, Sydenham's immediate successor, held similar views on Kingston's merits as capital. In a letter to Lord Stanley dated 19 January 1842 he suggested that, as the permanent seat of government, Kingston "would be unacceptable to the great body of the people." He further noted that Kingston's strategic position was highly questionable:

Situated on the border of the Lake to which it is perfectly open—within twelve miles of the American shore and within fifteen miles of their [the Americans'] principal naval Station on Lake Ontario, it is evident that its security must depend on the enemy never being able, even for a few hours to obtain the superiority on this end of the Lake.<sup>139</sup>

Soon after the opening of the first Union Parliament an unavoidable question was raised in the House: in a political union of French and English cultures,



did it not seem inequitable to insist on placing the seat of government in a small, rather unsophisticated English town in Canada West? Not surprisingly, several Members put forward motions requesting that addresses on the subject of the designation of a permanent capital be presented to the Governor-General.<sup>140</sup>

Many of the English-Canadian Members were not concerned with developing an equitable solution to this politico-cultural dilemma. On the contrary, many of these individuals simply desired to have the seat of government returned to Toronto. During the first session of the Union Parliament, several Toronto citizens petitioned the Assembly, requesting the Parliament seek permission from the Crown to hold sessions alternately at Toronto and Quebec City or, failing such a decision, to remunerate the two cities for financial damages incurred by the loss of capital status. The petition was referred to a select committee that later recommended "such a measure would not only be acceptable to the great body of the inhabitants of Canada, but would, at the same time result in a great saving of expenditure to the public."<sup>141</sup> An address embodying the petition's basic principles was dispatched on 16 September 1841. The address recognized the Union's regional and cultural differences and espoused the virtue of having two capital cities as a valuable and necessary learning experience. However, the petition also clearly favoured a return of the seat of government to Toronto.<sup>142</sup>

On 26 September 1842 the House received word that the Crown had neither endorsed nor rejected their request but had only further complicated the debate by stating

that the establishment of *Kingston* as the Seat of the United Legislature was not adopted without fullest consideration, and, that a change, involving among other consequences largely increased expenditure, ought not to be sanctioned, except upon the clearest necessity, and the general sense of the Province unequivocally expressed in its favour.<sup>143</sup>

General political opinion perceived Kingston as "too small and primitive to provide the amenities demanded by politicians, . . . too British for the French Canadians and too conservative for Reformers of either culture."<sup>144</sup>

On 5 October 1842, the House once more debated the capital question. Two resolutions on this issue were passed: the first, while recognizing the Crown's prerogative to determine the location of the seat of government, demanded that an official decision be made. The second of these resolutions stated that Kingston

does not afford sufficient accommodation to enable the members to discharge their duty to their constituents with due enquiry, and sufficient deliberation, and that the locality of Kingston is not central to the majority of the population, and is badly provided with accommodation for the residence of the members, particularly during the winter, which is the season in which they can attend to their legislative duties with the smallest sacrifice to their general interests.<sup>145</sup>

Several unsuccessful amendments followed in the course of the debate on this second resolution, each attempting to have Toronto, Quebec City or Montreal designated as the preferred location for the new capital. Ultimately, the House passed the two initial resolutions by a vote of 40 to 20.<sup>146</sup>

Of course, many of the local citizens and merchants opposed any proposal to remove the seat of government from Kingston, fearing economic and social upheaval. Despite these protests, however, relocation seemed unavoidable. In March 1843, nine Members of the Legislative Council presented Governor-General Bagot with a report recommending that Montreal be made capital. Interestingly, only three of the report's nine authors represented Canada East.<sup>147</sup> By the summer of 1843 rumours about the relocation of the government to Montreal were widespread. Newspapers such as the *Toronto Examiner*, the *Bytown Gazette*, the *Kingston British Whig*, the *Kingston Loyalist*, the *Kingston Herald*, and the *Montreal Gazette* frequently printed editorials and articles arguing the advantages and disadvantages of each potential capital.

Ultimately, it was left to the Assembly itself to find an answer to this dilemma. On 3 November 1843 Robert Baldwin put forward a series of motions in the House, the last of which moved in favour of establishing the seat of government in Montreal. Cultural and political prejudices made the debate an arduous and emotional one; as historian Robert Rumilly notes, the



question to be decided was perceived to be one of supremacy of English or of French language and culture.<sup>148</sup> The motion to move to Montreal was ultimately passed by a vote of 51 to 27. Passage of the bill, while seemingly settling the issue, did much to provoke discontent among anglophone Members, 13 of whom walked out of the Legislature in protest of the vote's results.<sup>149</sup>

The second Parliament of the Province of Canada was opened in Montreal on 28 November 1844. As was becoming the custom, the House did not convene in buildings which had been specifically constructed for the Assembly but rather in a less formal setting. St. Anne's Market, built by George Browne in 1833 and renovated in 1839, provided interim accommodation for the Assembly's brief sojourn in Montreal. Originally the home of the St. Jean Baptiste Society and earmarked for occupation by Montreal's municipal government, St. Anne's was rented to the province on 14 March 1844 and quickly refurbished for its new purpose. The market contained two storeys; the lower floor was remodelled for use as government offices while the upper floor was divided to produce chambers for the Assembly and for the Legislative Council, the former measuring 342 by 50 feet.<sup>150</sup>

The Assembly's tenancy was not without incident. During the 1848 session, a bill "to provide for the indemnification of parties in Lower Canada whose property was destroyed during the Rebellion in the years 1837 and 1838" was introduced. Captain F.A. Grant, in a letter to his father, briefly outlined the terms of the Rebellion Losses Bill and its causes. He noted that the legislation intended

that a certain sum of money from the public purse is to be devoted to the payment of private persons for property lost or destroyed during the rebellion of 1837 and 1838. In Upper Canada this had already been done and Lower Canada asks for it now. The Upper Canadians are all British and the Lower French, the latter rebelled in '37 and '38, the former fought and licked them and declare that to pay the French Canadians is to reward the rebels.<sup>151</sup>

In fact, not all individuals could benefit financially from this Act: the Rebellion Losses Bill excluded those individuals who had been found guilty of treason during the Rebellion from making any claim. While many Members did not dispute this qualification, many objected to the fact that this provision made no allowances for those "rebels" who had not been caught and convicted. It was felt that under the provisions of the Act, these individuals had a right to compensation equal to the amount entitled to those who had been loyal to the Crown during the Rebellion.

Over the course of the next few months, the question of payment to the rebels became a contentious issue within the political and social circles of Montreal. The public outrage reached its peak on 25 April 1849. During that afternoon, Lord Elgin had granted royal assent to the Rebellion Losses Bill in spite of the presence in the Assembly's public galleries of a large, belligerent contingent of Loyalist opponents to the legislation. A contemporary chronicle recorded that

at 8 o'clock thousands of excited Tories had assembled on the Champs de Mars where the Hon. George Moffatt, Col. Gugsy, and others spoke and denounced the Governor-General for having signed the Rebellion Losses Bill and urged the people to petition Her Majesty to recall him. But "petitioning" did not suit the temper of the people and there was something more sympathetic in the wild cry of "Fire, fire," as the bells were heard sounding the alarm.<sup>152</sup>

This angry mob then advanced on the parliament buildings and overtook the Members in the Assembly. Eyewitness Alfred Perry provided a detailed and colourful account of these events:

A few of us rushed up the steps leading to the [Parliament's] vestibule while the mob outside yelled with dangerous excitement. On reaching the corridor I saw the pictures of Her Majesty and [Louis-Joseph] Papineau.



The latter was to me like a red rag to a bull. But we passed on until we reached the door of the assembly. Here, . . . a messenger disputed my right to enter the House. It was no time for showing tickets, and a clip from my axe handle settled the matter. We rushed into the chamber. The speaker, Morin, was in the chair. Although calm he was evidently alarmed . . . We passed the bar of the House, the members rising in indignant protest. Sandfield Macdonald resented our intrusion by striking Howard a well directed blow on the head . . . Then my axe handle came into play and Sandfield was floored. The ball was opened then in earnest.<sup>153</sup>

The chamber was subsequently set on fire and the building and much of its contents — including the legislative archives and library — were destroyed.<sup>154</sup>

### **1849-1851: Toronto**

Because of the unstable political environment in Montreal, the Legislature of the Province of Canada returned to Toronto and to the Front Street buildings in 1849. Between 1840 and 1849, however, the legislative buildings had been occupied. For example, the buildings were put at the disposal of King's College (later the University of Toronto) while a much needed new college was being constructed. Under the supervision of Thomas Young, the parliament buildings underwent several renovations during 1842 and 1843 to adapt the former seat of government to the college's needs. The most expensive of these changes was the conversion of the Legislative Council chamber into an Anglican chapel. A "mysterious looking building with few windows" was also added in 1843-1844, and the college's Medical School occupied it in 1846.<sup>155</sup>

In 1848 and early 1849 the parliament buildings became the home of several psychiatric patients who had previously been confined to a wing of the city's jail.<sup>156</sup> For several years before this move, the commissioners of the Temporary Provincial Asylum in Toronto had been searching for accommodation for their rapidly growing inmate population. As a September

1845 commissioner's report indicated, the increase in the number of the asylum's charges was growing far more rapidly than the institution's ability to provide adequate care. In 1843, 54 people permanently resided in the asylum; by 1845, the number had increased to 77 largely because of the propensity of county sheriffs to use the asylum as a repository for old, female or difficult prisoners.<sup>157</sup>

In 1844, only a single "apartment" measuring "40 feet by 30 feet and in the centre . . . 20 feet in height" acted as the Temporary Asylum.<sup>158</sup> Deemed by the commissioners to be "inadequate for the purposes in view,"<sup>159</sup> the board committed itself to finding and securing, through either purchase or long-term lease, an alternative location. In June 1845, the possibility of acquiring the property of a Captain Macaulay or the Bathurst Street Barracks was brought before the commissioners.<sup>160</sup> A letter concerning this matter was dispatched to Governor-General Metcalfe and, on 6 August 1845, the commissioners learned that while the Governor-General acknowledged their problem, he denied them use of the barracks, noting they were "required for military purposes and cannot therefore be obtained." However, the Governor-General did recommend that a report containing all possible new locations be submitted to him at the board's "earliest convenience."<sup>161</sup>

By the summer of 1845, the condition of the province's only asylum had not improved. Faced with a situation that was becoming desperate, the commissioners issued a report on 21 August 1845 which reflected their mounting frustrations:

The Commissioners are under the belief that the present building is not in such a state, nor is the accommodation sufficient to meet the present wants of the numbers now within its walls; and the Commissioners . . . have come to the conclusion, that in justice to the public, and to the patients, it is absolutely necessary to remove the whole number [of patients] to some other place more . . . suited than the one now in use.<sup>162</sup>

Two commissioners travelled to Montreal to deliver their report to the Assembly and to lobby the government either to provide funding for a new building or to permit the board to lease other premises. Perhaps in response to the board's initiative, the government approved not only the funds for a



new asylum but also the lease of Samuel Jarvis' George Street premises for three years as interim accommodation.<sup>163</sup>

Despite the board's actions, the problem of too many inmates continued to plague the asylum and in March 1846 the commissioners wrote to the Provincial Secretary "requesting an early answer to the suggestion of the commissioners respecting the fitting up of the East Wing of the Parliament Buildings."<sup>164</sup> On 26 March 1846, only one week after their request was dispatched, the commissioners received approval from the Acting Governor-General, Earl Cathcart, for their scheme. The board's records failed to explain why almost two years passed between the approval of their plan and the actual move of the inmates to the east wing of the Front Street parliament buildings. Nevertheless, by 1848 the halls of the east wing resounded with the cries and lamentations of the asylum's troubled inmates.

### **1852-1865: Toronto and Quebec City**

The practice of perambulation — "the system of rotatory Parliaments" — was formally instituted late in 1849, and from 1851 until 1865 sittings of the Parliament of the United Canadas alternated between Quebec City and Toronto.<sup>165</sup> Rather than remove the capital question from prominence in the House, however, perambulation focussed public and parliamentary attention more clearly on this problem.<sup>166</sup> Several newspapers, including the *Times* of London, England, the (Kingston) *British Whig* and the *Montreal Gazette* published editorials denouncing perambulation as a "monster humbug" that undermined the political dignity of the united province.<sup>167</sup> William Lyon Mackenzie, Member for the riding of Haldimand in Canada West, brought a rather sarcastic alternative before the House in a 20 May 1851 speech. He suggested "getting a steamboat fitted up for the Legislative Assembly, with a nice place for the Speaker's chair, [so] that they might sail up and down the lakes at their pleasure." Mackenzie concluded that, despite its irreverence, this proposal "would at all events . . . be much cheaper than running about the country . . ."<sup>168</sup>

After the Quebec parliament buildings were destroyed by fire in 1854, the Assembly was temporarily housed in the Quebec Music Hall and the courthouse while the Library was in the seminary.

By 1853, debate in the House frequently centred on the issue of the seat of government. In June of that year, G.B. Lyon (Member for Russell, Canada West) suggested the impasse could be resolved by creating a self-contained

capital region, an area akin to the United States' District of Columbia.<sup>169</sup> As the debate progressed, however, Members were generally less conciliatory and rejected the proposal. Many advocated the outright abandonment of perambulation in favour of the parliament's permanent residence in either Toronto or Quebec City. By the latter months of 1854, the seat-of-government question had, as the *Montreal Gazette* noted, been

reduced to the magnificent proportions of a game of grab. Members from different sections of the Province snap at it as a set of hungry pike would at a tempting bait. There is no sort of decency in the thing — there is not even enough to conceal the miserable actuating motives.<sup>170</sup>

Early in 1855, a motion to designate Quebec City as the permanent capital was defeated by a vote of 67 to 50; and an amendment to remove the government to Toronto was defeated by a narrower margin of 61 to 53.<sup>171</sup> Ultimately, the system of perambulation was upheld by a 61 to 54 vote.<sup>172</sup>

On 25 April 1855, the Legislative Council sent an address to Governor-General Sir Edmund Head asking him to exercise the royal prerogative and designate a site for the seat of government. The Council argued that the inconvenience and, more important, the large expenditure of public funds required to move the Parliament every four years dictated that the problem be resolved as quickly as possible. While the Council assured the Governor-General of its "cheerful concurrence in any proposition you may think to make fit," a similar guarantee could not be made for the Members of the Legislative Assembly. Indeed, the Legislative Council's attempt to solve the capital dilemma was generally perceived as an affront to the Assembly and did little to foster the good will needed to settle the issue.<sup>173</sup> The Governor-General was reluctant to settle the matter himself, as he implied in a letter to Sir William Molesworth of the Colonial Office in London:

This is not the place or time for discussing the question whether the moveable Seat-of-government be a wise or economical arrangement. The disadvantages of such a system — among which I rate highly the inconvenience to the subordinate Officers and Clerks employed in the various



departments, are obvious to every one; but it has without doubt produced certain benefits which are not less real because they do not catch the eye so readily as its evils . . .<sup>174</sup>

By 1856 — 15 years after the union of Canada East and Canada West — the choice of a permanent seat of government was no closer to resolution than it had been in 1841.

As in preceding sittings, several petitions requesting the designation of a permanent seat of government were brought before the House during the 1856 session. Only the question of representation by population captured a larger share of the Members' attention at this time.<sup>175</sup> Late in this session, a minor consensus was achieved. On 16 April 1856, Lewis Thomas Drummond, the Member for Shefford (Canada East), moved:

That in order to facilitate the selection of a proper place for a Permanent Seat-of-government, it is expedient that no one place other than one of the Cities hereinafter named, be selected, or proposed for selection, as the place where the Seat-of-government is to be permanently fixed, viz: Toronto, Quebec, Montreal, Ottawa, Kingston, Hamilton . . .<sup>176</sup>

The debate on this motion was emotional and intense. Finally, a Member moved an amendment to this original resolution, which stated that

in the opinion of this House, the City of Quebec is the most eligible place for the future Capital of Canada, and it is recommended that after 1859 the Parliament be permanently convened in that City, and that suitable buildings be forthwith commenced for the accommodation of the Legislature and Government.<sup>177</sup>

This amendment was accepted and the modified motion was put to the Members for a vote. At two o'clock on the morning of 17 April 1856, by

a vote of 64 to 56, the amended motion was passed and Quebec City was designated as the permanent seat of government.

On the surface, the close vote brought an end to this political conflict. It was not long, however, before the capital question once more monopolized the attention of the House. The government supply bill was introduced during the second week of May 1856; as a matter of course, it included a provision of £50,000 to erect new public buildings in Quebec City. Members dissatisfied with the Quebec City decision used this opportunity to express their profound disapproval.

The debate over the supply bill became the new battleground on which the seat of government issue was to be fought. A long and intense debate, it raged for several weeks with each day bringing some new objection, motion or resolution on the topic to the House's attention.<sup>178</sup> On many occasions attempts were made to rescind the Quebec City decision, to have another city named as the capital and, when these tactics failed, to purge the £50,000 provision from the supply bill. Moreover, two want-of-confidence motions were brought against the government by French-Canadian Members of the House. They asserted that the government's actions had betrayed the interests of the majority of the province's population and, thus, did "not inspire this House with the confidence necessary to entrust the Administration with the moneys required for the construction of the necessary Buildings at the Seat of Government."<sup>179</sup>

Even though these confidence motions were defeated by comfortable margins,<sup>180</sup> the Canada West cabinet — lead by former Speaker Allan Napier MacNab — resigned, citing a lack of support from its English colleagues during these votes. A coalition government was quickly formed and shortly thereafter the new E.P. Taché-John A. Macdonald government turned its attention to the passage of the supply bill. Although the new government fared little better than its predecessor in terms of opposition to the choice of capital, the £50,000 provision was eventually accepted by a narrow, four-vote majority. The entire supply bill was accepted by the House on 27 June 1856 by a vote of 74 to 18.<sup>181</sup>

Whereas the Assembly had managed to reconcile itself to the selection of Quebec City as the seat of government and to the allotment of funds to erect parliament buildings there, the Legislative Council could not. On 28 June 1856, the Council resolved



That this House not having been consulted . . . and the other branch of the Legislative [sic] having resolved upon Quebec, . . . and having, moreover, passed a Bill of Supply, making provision for erecting Public Buildings at Quebec, this House feels itself imperatively called upon to declare that it cannot concur in the said Bill of Supply . . .<sup>182</sup>

Under the bicameral parliamentary system in operation in the Canadian colonies, the approval of both Houses was needed in order to pass any piece of legislation.<sup>183</sup> The Council rejected the bill by a vote of 12 to 9, thus forcing the legislation — and the contentious seat of government issue — to be returned to the Assembly.

With the advent of the Parliament's third session in 1857, it became clear that a solution to the seat-of-government issue was not forthcoming. Moreover, with an election approaching, government leaders such as John A. Macdonald felt it would be prudent to stall the debate until after a new government had been elected.<sup>184</sup> As a final attempt to overcome this political impasse and to assume control of the escalating debate, the government announced on 6 March 1857 that it intended to introduce a series of resolutions in the House pronouncing it advisable to select a permanent seat of government and to provide a sum of money for the erection of parliament buildings.<sup>185</sup> In March 1857, the Assembly did pass an address requesting that Queen Victoria resolve this dispute and select a capital. Perhaps as an affirmation of its intentions, the House also passed a motion granting a sum of money not exceeding £225,000 for the erection of parliament buildings at the site to be chosen by the Queen.

While the Assembly could not resolve the matter to the satisfaction of all parties, Governor-General Head maintained that the deferral by the Legislature of the capital question to the Queen's judgement in no way renounced or disclaimed its own capacity for self-government nor did its Members.<sup>186</sup> Nevertheless, in a confidential memorandum accompanying the address, Head noted that the "adoption . . . of a fixed seat of Government" had become "a matter of necessity, not of choice."<sup>187</sup> Altering his earlier opinion, Head asserted that perambulation was inexpedient and did little to promote political harmony:

*"The Palaces of Government"*

To keep the question open was to afford to any Opposition the opportunity of thrusting, in some form or other, on any Government a question on which four places of importance could always be made to direct their influences against any proposal of that Government. This question too, above all others, supplied a constant stimulant to the hatred of race and the conflict of religious feeling.<sup>188</sup>

Indeed, the *Montreal Pilot* had expressed this sentiment in an editorial as early as March 1856, concluding that

if the Government is in any danger of disruption, it is upon this [the seat-of-government] question, for while some of its members are determined to have it settled, others are adverse to further interference.<sup>189</sup>

John A. Macdonald expressed similar sentiments in an address to the Assembly on 19 March 1857. Noting that referral of the seat-of-government problem was "the only way in which the question could be settled," he stressed that the blame for irresolution should be laid solely at the feet of the Assembly:

The fault was not with the Government, but with the sectionalism of the Legislature. By pursuing the proposed course the matter would be referred to a disinterested arbiter, one anxious only for the promotion of the interests of every section of the Country.<sup>190</sup>

Governor-General Head declared that "the interests of Canada as a whole, and the security of the Union demanded a solution to the difficulty," and the matter was "specially referred to the discretion of the Queen."<sup>191</sup>

The Queen's decision was to be an informed one. The Governor-General invited municipal governments of the five candidate cities — Toronto,



Montreal, Kingston, Ottawa, and Quebec City — to prepare a statement "setting forth the reasons which may . . . favour the claim of that place to be selected by The Queen."<sup>192</sup> A statement was submitted by each city council,<sup>193</sup> and although not invited to do so, the city of Hamilton also submitted a document for the Queen's consideration.<sup>194</sup> Even the Governor-General himself felt compelled to outline the advantages or disadvantages of each city in his memorandum. For example, the political turbulence of Montreal and the declining influence of Quebec City did not, in Head's view, recommend either as capital city.<sup>195</sup> Dismissing Kingston as "a dead place when compared to Montreal and Toronto," and suggesting that the choice of Toronto as capital "would tend to unite Montreal with Quebec in renewed jealousy of the western section [of the Union],"<sup>196</sup> Head concluded that Ottawa was the obvious, if not the only choice that could be made under the circumstances:

Ottawa is the only place which will be accepted by the majority of Upper and Lower Canada as a fair compromise. With the exception of Ottawa, every one of the cities proposed is an object of jealousy to each of the others. Ottawa is, in fact, neither in Upper nor Lower Canada. Literally it is in the former; but a bridge alone divides it from the latter.<sup>197</sup>

Considering these arguments, Queen Victoria elected to designate Ottawa, which had been referred to as "a small backwoods community," as the Union's capital.<sup>198</sup>

Queen Victoria's decision was announced in the House on 31 December 1857. The Members' reaction was not generally favourable; indeed, many who had expected the Queen to choose either Toronto or Montreal were dismayed at the prospect of having to relocate to this less sophisticated area.<sup>199</sup> By the summer of 1858, the furor over this problem was reaching its peak. On 16 July, the debate over the acceptability of Ottawa as the Union's seat of government induced A.A. Dorion to introduce the following resolution:

That this House is duly grateful to Her Majesty for complying with the address of Her Canadian Parliament . . . but . . . this

House deeply regrets that the City which Her Majesty has been advised to select is not acceptable to a large majority of the Canadian people.<sup>200</sup>

Although Dorion's motion was defeated by a vote of 63 to 45,<sup>201</sup> a similar scene was played out in the Assembly less than two weeks later. On 28 July, another such resolution was brought before the Members and, ultimately, it was resolved that the Assembly "did not approve of Ottawa as the permanent Seat of Government."<sup>202</sup> On the following morning, the Macdonald-Cartier government resigned; George Brown, the leader of the Upper Canadian Reformers, formed a coalition government with A.A. Dorion two days later.<sup>203</sup>

Soon after the members of the Brown-Dorion administration were sworn in — and before they could seek re-election as required under the *Independence of Parliament Act*<sup>204</sup> — a motion of non-confidence was raised in the House. This event set the scene for the infamous "double shuffle" of 1858.<sup>205</sup> Rather than dissolve the Legislature, Governor-General Head turned to Cartier to form a government. To avoid the requirement of resigning their cabinet posts and seek re-election during this turbulent period, Cartier and his ministers invoked an 1853 amendment to the *Independence of Parliament Act* which stipulated that if a Member changed portfolios within 30 days of his appointment, he need not vacate his seat in the House. On 6 August 1858 the Cartier ministers were sworn into their offices; the following day the ministers resigned these portfolios and resumed those they held before their defeat in the House on 29 July.<sup>206</sup>

While the "double shuffle" had averted a possibly damaging set of by-elections, the reinstatement of the Macdonald-Cartier administration did not resolve the conflict over the site of the Union's capital. On 10 June 1859, Louis-Victor Sicotte, a former Speaker of the Assembly and Commissioner of Public Works since 7 August 1858, resigned citing the government's decision to accept the Queen's choice for the seat of government. Moreover, many Members were distressed when the Throne Speech designated Quebec as the capital until the new parliament buildings in Ottawa were completed.<sup>207</sup> As several other Members had done, Sicotte insisted that Ottawa was an inappropriate choice for the political centre of a thriving nation. After handing in his resignation, Sicotte took his crusade further and mounted a campaign to force the government to reverse Queen Victoria's decision. The climax of this drama came with the ex-Minister bringing a

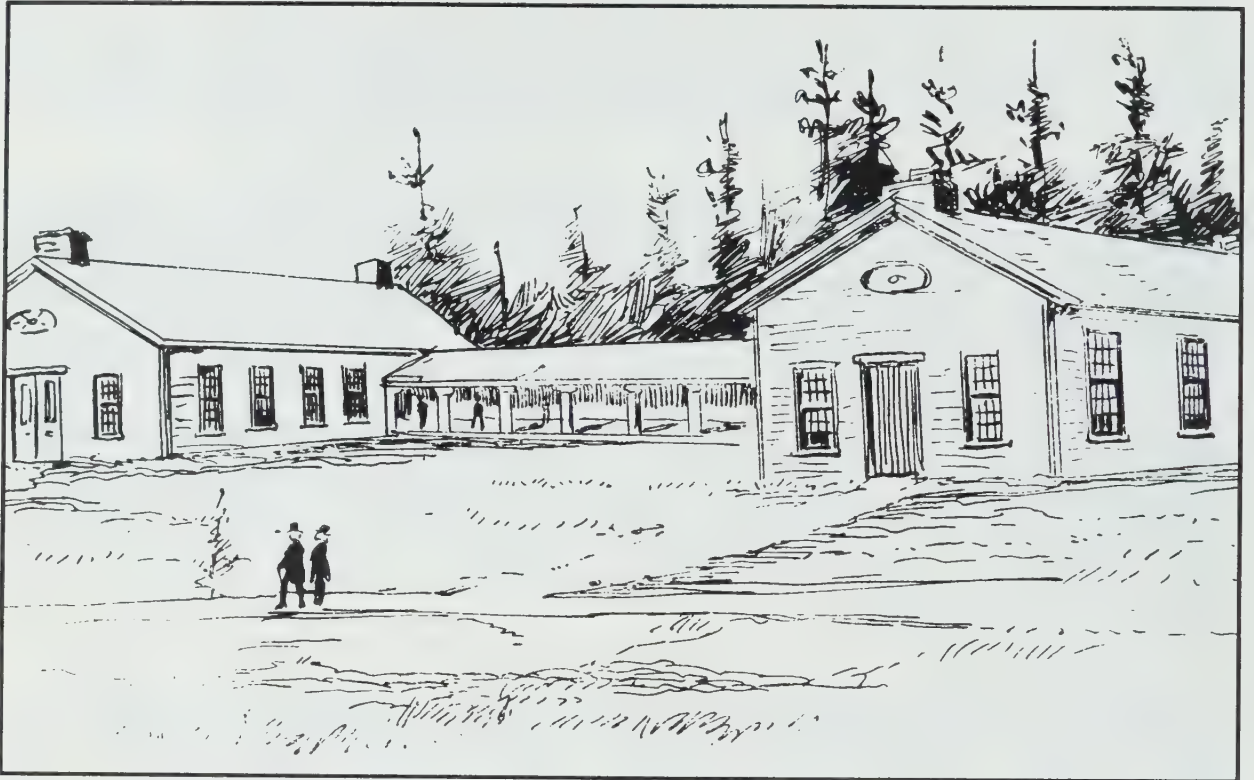


want of confidence motion against the government on this issue. It was only through the efforts of Richard William Scott, the Member for Ottawa, that Sicotte's motion was defeated and Ottawa's new political status affirmed.<sup>208</sup>

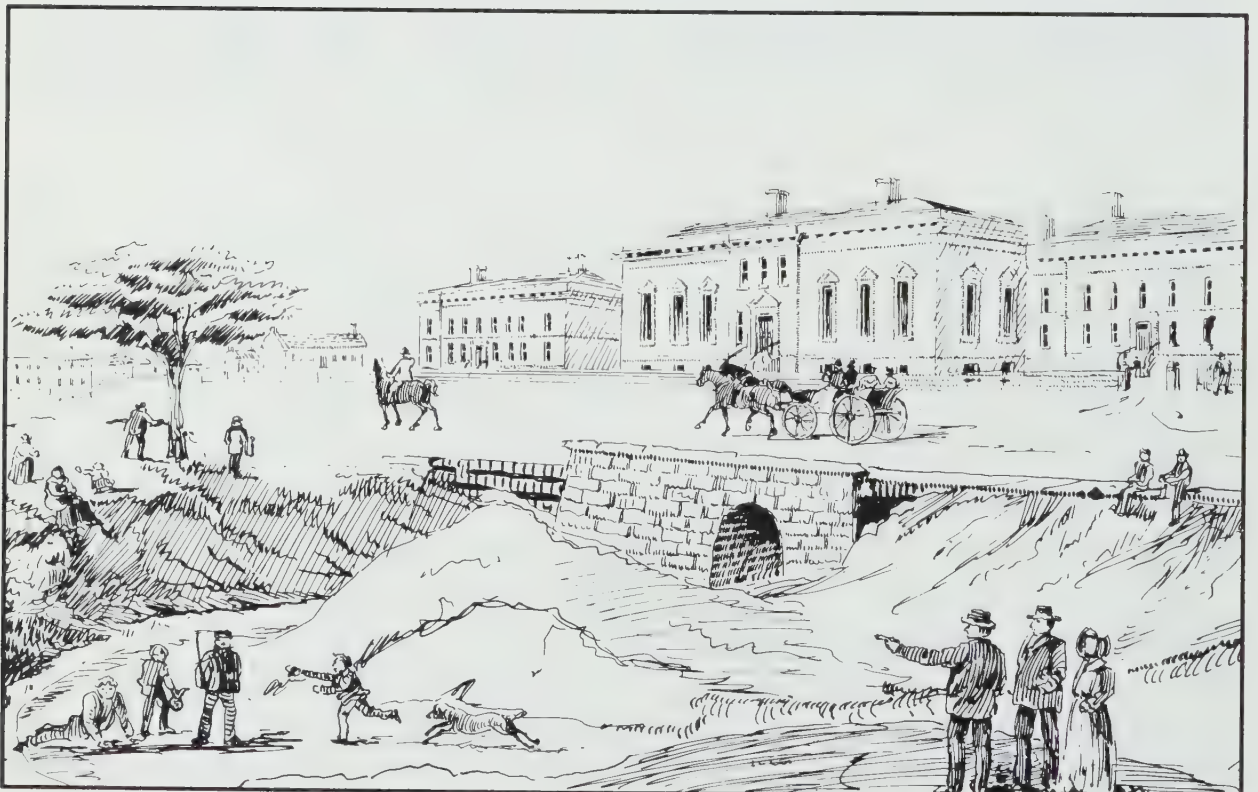
After the fire in Quebec, temporary buildings were readied to provide the Legislature with accommodation during the construction of the building in Ottawa. The Assembly was housed in a new building which was to be the Quebec City post office when the capital moved. On high ground near the Prescott Gate, the building overlooked the St. Lawrence River. It was a large plain structure with a façade of white brick. The chamber was shorter and broader than its Toronto counterpart. Galleries, decorated with portraits of former Speakers, ran around three sides of the room and the placement of the 130 Members (65 from Canada West, 65 from Canada East) was similar to that in Toronto.<sup>209</sup>

In Ottawa on 8 June 1866, the Parliament of the Province of Canada met for the last time. The Ottawa buildings were "spacious and splendid," and Members "watched the view over the great river, wandered through the tall, echoing corridors . . . and sat amid the vast, impressive spaces of the Assembly and Council chambers . . ." <sup>210</sup> The session was the legislative terminus of a parliament which had conducted its first proceedings at Kingston in 1841. By July 1866, Members had begun considering resolutions on Confederation that would seal the Parliament's fate and initiate a new period in Canadian history.<sup>211</sup> The Parliament of the Province of Canada's final and brief session in Ottawa ended on 16 August 1866.<sup>212</sup>

*"The Palaces of Government"*



The first parliament buildings at York (1796-1813), two brick and wood buildings connected by a covered walkway, were burned down by American troops on 27 April 1813.



The third set of parliament buildings were constructed in York at Front Street West and Simcoe Street in 1832.



*"The Palaces of Government"*



A view of the Front Street parliament buildings, c. 1835.  
J.R. Robertson in *Landmarks of Toronto*, vol. 1, claims that the pillars and pediment at the centre building were never constructed.



With the union of the Canadas in 1841, the provincial government moved to Kingston. The Province of Canada held its sessions in the Kingston General Hospital until 1843.



*"The Palaces of Government"*



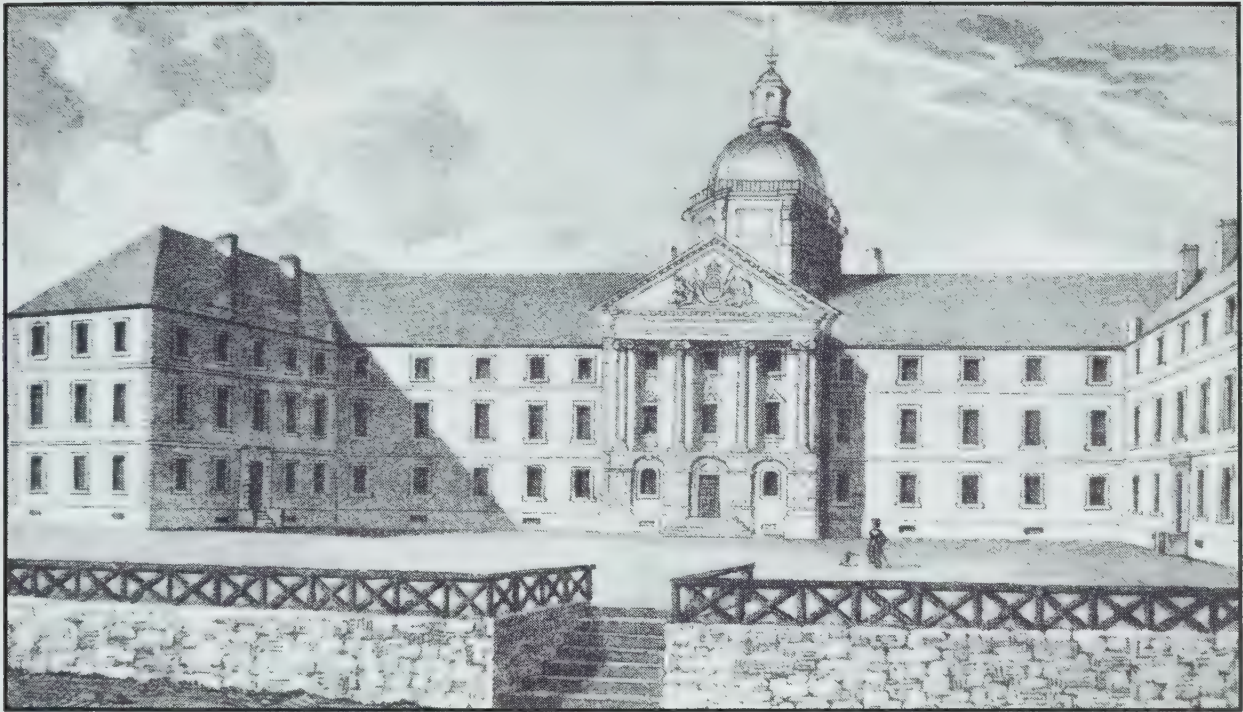
The Parliament of the Province of Canada was moved to Montreal in 1844. It resided here, in the St. Anne Market, until the building was destroyed by fire in 1849.



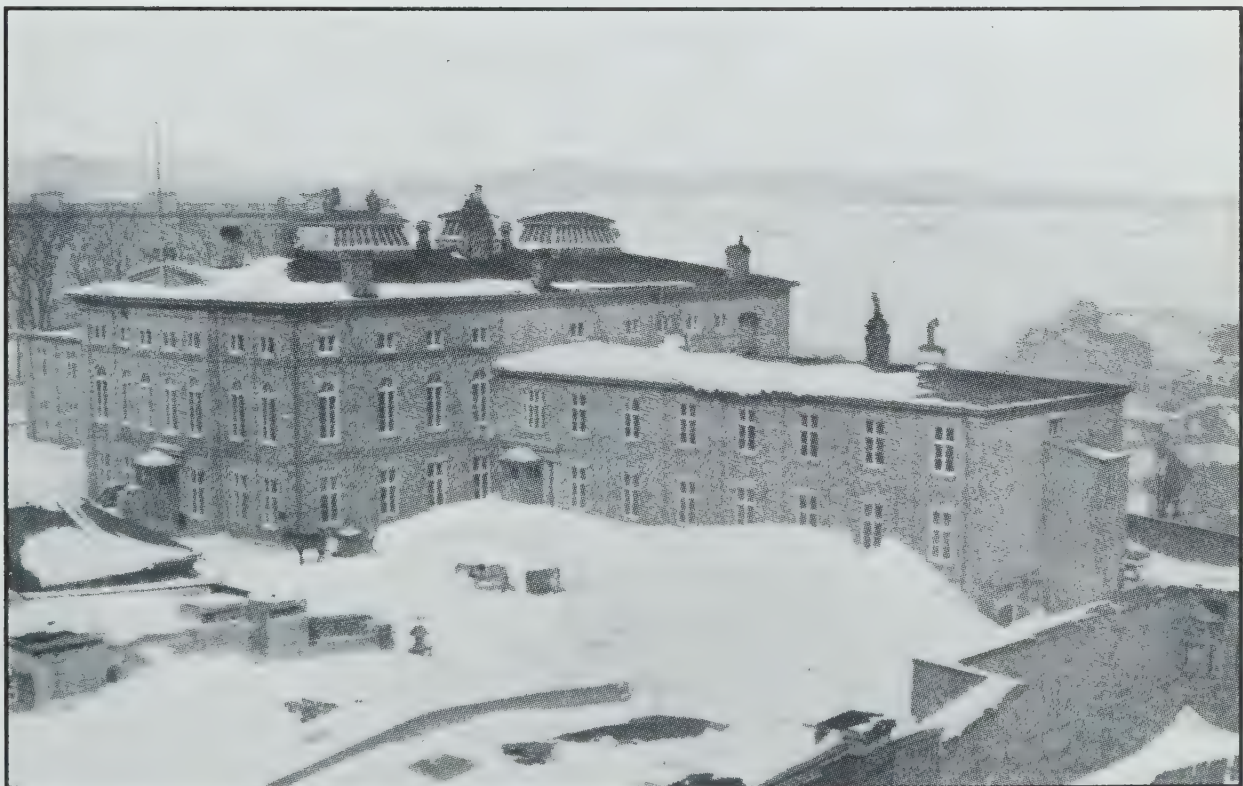
On the day that the Rebellion Losses Bill received royal assent, an angry mob of protesters stormed and burned the St. Anne Market, the seat of the provincial government.



*"The Palaces of Government"*



These buildings were used by the provincial government during its residence in Quebec City, 1852-1854. The buildings were destroyed by fire before the beginning of the 1854 session.



These buildings were used by the Parliament when it resided in Quebec City between 1860 and 1865.



*"The Palaces of Government"*



A view of the parliament buildings, Front Street West, c. 1884.



REAR ENTRANCE OF MAIN BUILDING, FROM WELLINGTON STREET.

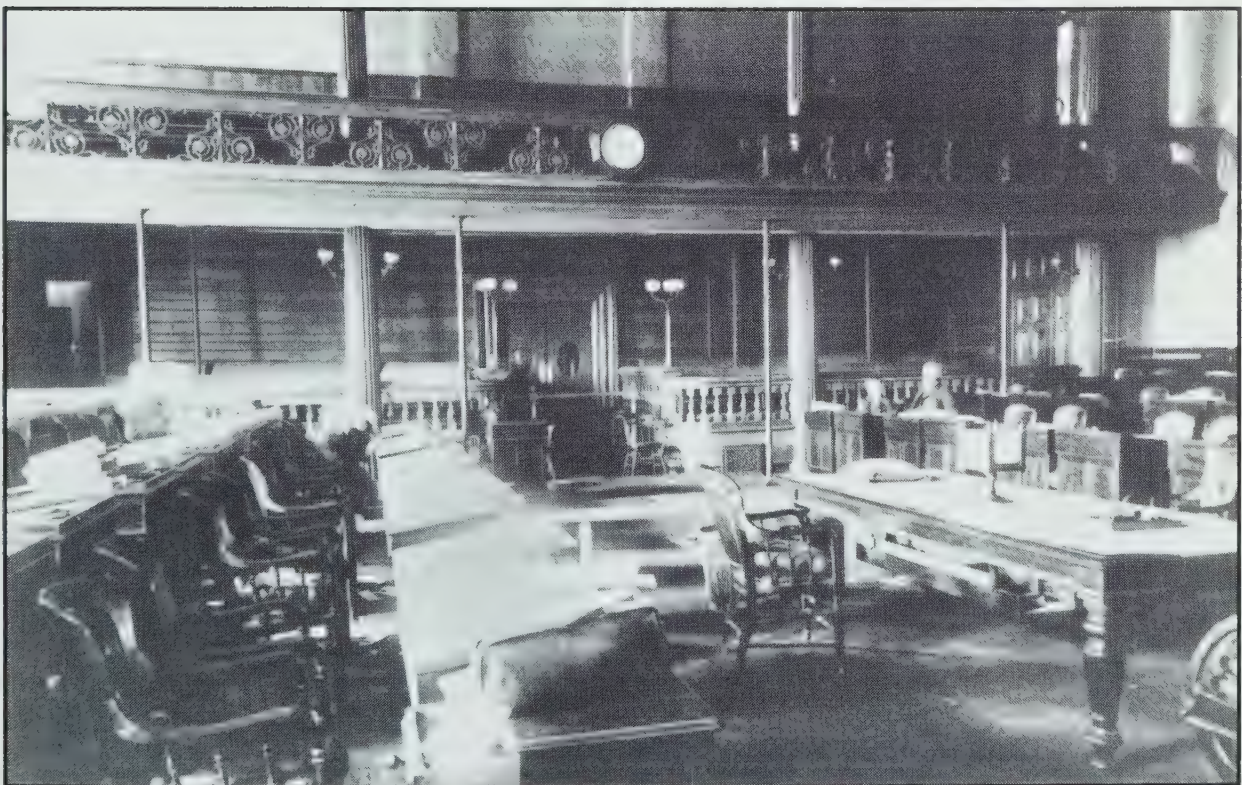
The rear entrance to the Front Street parliament buildings. The new library wing, built between the 1856 and 1857 sessions, is visible.



*"The Palaces of Government"*



A view of the west end of the legislative chamber, Front Street buildings, showing the Speaker's chair and dais, 1892.



A view of the east end of the legislative chamber, Front Street buildings, showing the bar which was put across the door to the chamber when the Legislature was in session.



*"The Palaces of Government"*



Construction of the Queen's Park parliament buildings.



Construction of the Legislature at Queen's Park, c. 1892. The circular opening on the left tower was to have housed a large clock. For reasons that are still unclear, the clock was never installed.



*"The Palaces of Government"*



On 1 September 1909, sparks from a tinsmith's fire ignited the roof of the west wing of the parliament buildings. Damage to the destroyed wing was estimated at \$700,000.



A rear view of the parliament buildings at Queen's Park before the erection of the north wing in the early twentieth century.



*"The Palaces of Government"*



A north wing was added to the parliament building between 1909 and 1912. Housed in the north wing, the Legislative Library can be sealed off by fireproof doors.



## **The Post-Confederation Period, 1867 to Date**

### **1867-1892: Front Street, Toronto**

With Confederation, the question of which city would become provincial capital was simplified. Owing to delays in construction spanning some five years, the Ottawa buildings intended for the Parliament of the Province of Canada became home to the new federal House of Commons and Senate. The new provinces of Ontario and Quebec, however, were in need of their own capitals and legislative buildings. In Ontario, previously Canada West, Toronto was named as the seat of government. Rather than construct a new edifice, the Ontario Legislature took up residence in the Front Street buildings which had frequently provided the Assembly with accommodation since 1832. While the legislative traditions associated with these parliament buildings may have provided the new provincial Assembly with the proper ambience, their suitability and stability frequently came into question over the next two decades.

Since the 1850s, the Front Street buildings had been in constant need of repairs and, even when unoccupied by the Legislature, they figured prominently in the government's yearly expenditures. The annual Department of Public Works *Reports* testified to the progressively costly upkeep of the Front Street parliament buildings: in 1863 they had cost approximately \$274,815.<sup>213</sup> Repairs to the Library, the furnace, and, most frequently, the leaky and rapidly deteriorating roof were the focus of these *Reports*.<sup>214</sup> Two fires in the east wing of the complex — one on 18 July 1861 and a more serious incident on 24 July 1862 — further increased the amounts needed to keep the Front Street buildings habitable.<sup>215</sup>

The occupation of the buildings by Ontario's Legislature in 1867 added to the yearly expense. The addition of reception rooms for Members, landscaping of the grounds, repairs to the roof, and "ordinary repairs" necessitated the outlay of ever increasing quantities of government funds.<sup>216</sup> This situation was addressed by provincial architect Kivas Tully in several reports to the Commissioner of Public Works. In his 1877 report, he succinctly noted that:

The annual expenditure for keeping these buildings in even decent condition, is so large in proportion to their extent that I considered it proper to call attention . . . to

the necessity of constructing new buildings  
[in the 1873 report].<sup>217</sup>

By the end of the 1877 session, it had become obvious that the Front Street parliament buildings — often listed as second-class buildings in the City of Toronto's assessment rolls until the 1880s<sup>218</sup> — were no longer a financially viable or suitable location for the provincial seat of government. Consequently, on 2 February 1877, the Members requested that statements concerning repairs to the present buildings, prior feasibility studies on the erection of new parliament buildings, and estimates regarding the possible cost of such buildings be brought before the House.<sup>219</sup> Although the Department of Public Works complied with the request, the issue did not resurface until three years later.

On 4 January 1880, in accordance with the instructions of the Commissioner of Public Works, Kivas Tully filed a report on the condition and repair of the parliament buildings. Tully was well qualified for this task. Born and educated as a civil engineer and architect in Ireland, he had supervised the construction of several public buildings in his native land before emigrating to Toronto in 1844 at the age of 24. In the years between his arrival and his appointment as architect and engineer for the Department of Public Works in 1867, Tully was directly involved in the design of many buildings, including the Bank of Montreal at Front and Yonge Streets (which was demolished in 1880), the old Trinity College (which was demolished in 1956), the St. Catharines Town Hall, and the Welland County Court House. He had also supervised extensions and additions to Osgoode Hall and Upper Canada College, and was charged with the task of laying out Toronto's first sewer system in 1855.<sup>220</sup>

In his capacity as provincial architect, Tully had assessed the condition of many other public buildings and his evaluation of the Front Street buildings was in keeping with his duties. The 1880 report catalogued the buildings' numerous necessary repairs and health-related problems. For example, while noting that "the roof of the centre building is in a fair condition," the provincial architect declared that "should this building be occupied much longer for Legislative purposes, it will be necessary . . . to have the roof renewed."<sup>221</sup> The architect also noted that the drainage system "has been in a very unsatisfactory condition ever since these buildings have been occupied in 1867"; in fact, the condition of the west wing was so deplorable that the building's housekeeper had to remove his family from their basement apartment "under medical advice."<sup>222</sup> Moreover, the "unquestionably very



bad" ventilation of the centre building was "unpleasantly evident to everyone visiting the building."<sup>223</sup>

The focus of Tully's 1880 report was the unsafe condition of the buildings. The threats posed by other deficiencies were minor in comparison to those posed by structural weakness and the possibility of fire.<sup>224</sup> Tully noted that years of makeshift additions and partitions had taken their toll. Not only was the east wall of the east wing "in a dilapidated and dangerous condition," but

the buildings were not . . . originally constructed of substantial materials, and . . . the varied alterations, additions and reconstructions which they have undergone . . . must have . . . impaired their stability and safety.<sup>225</sup>

Tully also expounded as to how a fire — a common occurrence in the history of the pre-Confederation parliament buildings — could easily destroy the Front Street buildings. This situation posed a threat not only to personal safety but also to government records such as those contained in the offices of the Crown Lands Department.<sup>226</sup> In light of these findings, Tully's conclusion was not surprising. The provincial architect closed his report by asserting

that the present buildings are totally unsuited to the requirements of the Province, and cannot be altered to meet the accommodation which is now urgently needed. It is, therefore, a matter of serious and unavoidable consideration whether the present buildings and site should not be abandoned, and new buildings erected elsewhere.<sup>227</sup>

## **1880-1886: The Decision to Build**

The fourth Parliament of Ontario opened in the Front Street parliament buildings on 7 January 1880. On 23 February, the Commissioner of Public Works, Christopher Findlay Fraser, placed nine resolutions before the House. These resolutions were the Mowat government's response to Tully's recommendations, and the first clearly stated the government's intent:

. . . it is expedient that new buildings should be provided for the proper and needful accommodating of the Provincial Legislature and the Departments of the Public Service.<sup>228</sup>

The remaining eight resolutions addressed the questions of where the new buildings were to be erected, the amount to be allotted for this purpose (\$500,000) and even a plan for the sale of the land on which the Front Street buildings sat.<sup>229</sup> On the following day, *An Act to provide for the erection of new buildings for the accommodation of the Provincial Legislature and the Public Departments* was introduced by Fraser and received first and second reading. In the course of debate, William Ralph Meredith, Conservative Member for London, moved an amendment to the first resolution. Conceding that the House needed to provide money to ensure the safety of government records, Meredith moved that

[the House] is of the opinion that no sufficient reason exists for incurring at the present time the large expenditure involved in the erection of new Parliament and Departmental buildings, and that an opportunity should be afforded to the electors of pronouncing upon the question before the Province is committed to so large an expenditure . . .<sup>230</sup>

The amendment was lost on division and, at one o'clock in the morning of 26 February 1880, the House was adjourned. When the Assembly reconvened that afternoon, the bill was read for a third time and was passed, thus clearing the way for the erection of a new palace of government.<sup>231</sup>

Whereas three years had elapsed between the government's initial interest in erecting a new parliament building and the passage of an act enabling such a structure to be built, little time was lost once the necessary legislation was enacted. The site chosen for the new building was a piece of land which lay "to the north of the head of College Avenue."<sup>232</sup> Queen's Park had formerly been the property of King's College (now the University of Toronto). As early as 1854, the University had leased all of Queen's Park to the City of Toronto for 999 years — providing that a site be reserved for the provincial Parliament. Within five years the lease fell into abeyance and



was replaced by a new contract under which the City of Toronto paid \$6,000 per year for the parcel.<sup>233</sup> On 2 March 1880, the House was notified that the Senate of the University of Toronto had passed a resolution permitting the government to build in Queen's Park and that an Order in Council had been issued which authorized the Assembly to undertake the project. Interestingly, the Senate's co-operation was not without its price. Included in the Senate's resolution was approval for

an application being made to the Lieutenant-Governor in Council for an expenditure of ten thousand dollars (\$10,000) over and above the said sum of twenty thousand dollars for the erection of the building now required for holding the University examination, as also for improving and enlarging the museum and class-rooms.<sup>234</sup>

*An Act respecting the site of the new Legislative and Departmental Buildings*, in which 9.36 acres of Queen's Park was deeded to the government, was passed shortly thereafter.<sup>235</sup>

In February of 1880, Kivas Tully had presented his ideas for the new parliament buildings to the Commissioner of Public Works. In spite of his architectural experience — or perhaps due to his desire to fashion the buildings in the Gothic style — Tully was not selected to design the Queen's Park Legislature.<sup>236</sup> As had occurred before in Toronto, a competition for architects would be held. A panel of government-appointed adjudicators would then pick a small number of the designs for more serious consideration. The 1880 competition and the erection of the Legislature at Queen's Park begin a fascinating period in Ontario's political history. Unfortunately, this interest stems not from the project's symbolic importance but from a litany of errors in judgement associated with these events.

The terms of the design competition were laid out in detail by the Commissioner of Public Works in *General Instructions for the Guidance of Architects in preparing designs, etc. for the proposed New Parliament and Departmental Buildings for the Province of Ontario and the Terms, Conditions, etc. relating thereto*, published on 27 April 1880. The building or buildings were to be constructed from materials procured from within the province "if practicable," and were "to be as nearly fire-proof as practicable."<sup>237</sup> Also included in the *Instructions* were guidelines as to how

much floor space each architect should allow for the necessary chambers and offices. An appropriate size for the legislative chamber (with provision for the needed galleries) was estimated at 4,000 square feet while the Library would encompass 3,000 square feet. The estimated total of 59,000 square feet of floor space does not seem excessive given the fact that six provincial departments were to be housed in the proposed structure.<sup>238</sup> The main difficulty in the project lay in the financial details: architects were asked to confine their designs to \$500,000, "avoiding extreme or superfluous ornamentation."<sup>239</sup>

The *Instructions* also outlined the procedure for submission of designs. Each competitor was to pick a motto and place it on every drawing, plan, specification and itemized estimate submitted. Furthermore, each architect was to place his name, address, and a brief outline of the fees, salary or percentage expected as payment in a sealed envelope marked with his motto. The top three candidates would be rewarded with a premium of \$2,000, \$1,000 or \$500, respectively.<sup>240</sup> The successful designs would be chosen by a three-member panel consisting of the Hon. Alexander Mackenzie, federal Commissioner of Public Works, prominent Toronto architect W.G. Storm, and Richard A. Waite, a Buffalo-based architect.<sup>241</sup> The original deadline for submission of plans was 1 August 1880, but it was soon extended until 15 October 1880.<sup>242</sup>

On 15 November 1880, the Jury of Award presented its findings to the Commissioner of Public Works. In order to evaluate the 16 entries received, the jury professed that it had been necessary "to adopt a schedule of points upon which each design would receive equal consideration, as to its general adherence to the printed Instructions, especially that of cost."<sup>243</sup> Six categories were devised and points were awarded to each design with reference to overall architectural merit, simplicity of plan, sufficiency of natural lighting, heating and ventilation, drainage and, of course, cost. The jury seems to have had little difficulty ranking the competitors in the first five categories. When considering the cost of each submission, however, it was found

that little reliance could be placed upon the Competitors estimates, and that the only means of judging of the cost could be by carefully taking the area or cubic capacity of each design and considering the different



materials and construction in scheduled form.<sup>244</sup>

Ultimately, Darling & Curry's submission was given first place, that of Gordon & Helliwell, second, and Smith & Gemmell's plan, third. The Jury of Award stipulated, however, that these three designs were

inferior to some of the others, but they nevertheless comply more closely with the conditions of the Competition, especially that of cost, and it seemed to us that we were limited by the instructions received, to an expression of opinion having special reference to the question of cost as a governing principle to which general Architectural excellence must give way.<sup>245</sup>

After declaring that they could not "recommend the adoption of any one of the three designs, as each is . . . unworthy of the site," the jury concluded their report by proclaiming

that the limited sum imposed by the conditions is inadequate for a structure of such extent, complex arrangements and character, and it was only after considerable discussion that we undertook the responsibility of a recommendation of Designs for the premiums.<sup>246</sup>

This issue of cost would dominate the events surrounding the erection of the buildings for the following decade.

Before their premiums would be awarded, the three top architects were required to furnish all necessary specifications and details to the Commissioner of Public Works free of charge. Indeed, the schedule of fees clearly stipulated that any award of premiums would not occur until these items were completed and made to conform to the Commissioner's requirements.<sup>247</sup> Once the specifications were received, they would be put out to public tender through advertisement. Only if a contract bidder could meet the project's \$500,000 budget would the contract be awarded and the architect entitled to his fees.

As the Jury of Award had predicted, the sum allotted for the purpose was inadequate and no contractor could meet the \$500,000 ceiling. On 25 February 1881, in order to avoid another full-scale competition, Darling & Curry and Gordon & Helliwell were requested to submit modified plans, ones that would bring the project closer to the proposed financial limit. The revised plans were eventually submitted and put out to tender one year later.<sup>248</sup> Even in their modified forms, neither design could be constructed for the amount allotted to the project. The lowest contract for Darling & Curry's design had been tendered at \$612,000, while that for Gordon & Helliwell's plan had been tendered at \$542,000.<sup>249</sup>

By 1884, the Ontario Legislature was no closer to vacating the deteriorating Front Street buildings than it had been in 1880. On 12 February, a request for a return showing the total amount spent on repairs to the Front Street buildings since 1 January 1880 was made by the Assembly and, on 3 March, the report was tabled by the Commissioner of Public Works.<sup>250</sup> Two weeks later, a debate began in earnest over the condition of the present buildings and the need of new accommodation for the Legislature. Several motions were put forward during the deliberation, including one which stated:

That in the opinion of this House, the present Parliament and Departmental Buildings are inadequate to the requirements of the Public Service, unfit for occupation by the Legislature, and not in keeping with the resources and position of Ontario as the Premier Province of the Dominion.<sup>251</sup>

In response, William Ralph Meredith raised the issue of government indecision and proposed that the resolution be amended to state that

. . . the question of the propriety of, and the necessity for, the erection of new Parliament and Departmental Buildings, is one that ought to be dealt with in the first instance on the responsibility of the Government, and that this House ought not to be called upon to express any opinion upon an abstract proposition, such as that embodied in the motion, or, until a definite proposition is



submitted by the advisers of His Honour,  
for dealing with the question.<sup>252</sup>

These resolutions were defeated and the debate was quashed two days later.

Early in the 1885 session, an attempt was made to overcome the financial obstacles which stood in the way of new parliament buildings. On 18 March, the Commissioner of Public Works moved for the House to pass a resolution increasing the amount allotted for the construction of new buildings by \$250,000 to a total of \$750,000:

After the Act of 1880 competitive designs were asked for. These were remodelled and modified, and tenders were asked for the erection of the buildings according to two of these sets of designs . . . The Government's proposition is to select one of these two designs. We are now in a position to say with sufficient accuracy what the new buildings built according to either of these designs will cost. When the House asked the Government in 1880 to give an estimate of the cost of the proposed buildings, the Government were not in a position to give a correct estimate . . . we are asking for a sum that will be ample for the erection of these buildings upon either one of these plans.<sup>253</sup>

After assuring the House that all tenders submitted did not exceed \$750,000 and that the chosen bid of \$612,000 would leave a considerable margin for unforeseen costs, Fraser's resolution was passed by a vote of 50 to 26. *An Act to amend the Act relating to the Erection of New Parliament Buildings* was introduced the following day and ratified before the end of the session.<sup>254</sup>

Shortly thereafter, the Commissioner of Public Works thought it advisable to have the two architectural plans being considered undergo one final expert examination. Richard A. Waite, the Buffalo-based architect who had served on the 1881 Jury of Award, was chosen for this task. With some justification, the provincial government had ruled out Waite's fellow jurors

as possible examiners. Although he held the office of federal Commissioner of Public Works, Alexander Mackenzie was not an architect and thus not qualified to undertake the evaluation. It was also decided that, as a Toronto-based architect, any decision made by W.G. Storm could be subject to accusations of bias.<sup>255</sup> Waite examined both plans and, after some delay, his findings were conveyed to the Assembly on 23 March 1886 by the Commissioner of Public Works. He had found the plans to be "unsuitable" with "such grave defects in heating, lighting and ventilation, that it would be inadvisable to proceed with building on the basis of either."<sup>256</sup> Unfortunately, a full copy of Waite's decision was not printed as part of the 1887 Sessional Papers.<sup>257</sup>

While this conclusion took many by surprise, Waite's decision did echo remarks made several years earlier by the Jury of Award. The greatest revelation in Commissioner Fraser's 1886 speech, however, came immediately after the denunciation of the competition's winning plans. Noting that Waite's verdict raised the question of what was to be done regarding the erection of new parliament buildings, Fraser announced that

The Government has pledged itself to proceed with the buildings, and they had come to the conclusion that their early construction was a necessity. They decided to secure the services of an architect, and to have a new set of plans prepared. A careful deliberation as to who the architect should be, resulted in the selection of Mr. Waite, of Buffalo.<sup>258</sup>

The reaction to Waite's appointment was overwhelmingly negative. Even as late as 1890, this matter was the topic of newspaper editorials such as this one which appeared in the *Toronto Mail*:

Mr. Fraser may rant in the House, but will even he have the effrontery to defend this favouritism in the use of the patronage which he holds as a trust, this unfair treatment of Canadian architects, this making a foreign rival a secret and interested judge?<sup>259</sup>



*"The Palaces of Government"*

In 1886, however, the firms whose designs had been criticized and repudiated by Waite took more immediate action. Both Darling & Curry and Gordon & Helliwell attempted to secure payment for their extensive labours on the project. The government was less than receptive to these demands and maintained that the terms of the competition precluded them from making any payments whatsoever to the firms. By March of 1887, the government had softened its position and offered Gordon & Helliwell \$4,000. But in a letter to the Commissioner of Public Works, H.B. Gordon estimated the amount owed for services was at least \$13,675. In order to avoid further frustration, Gordon & Helliwell eventually settled for the rather inconsequential fee of \$3,700.<sup>260</sup>

Darling & Curry were more aggressive in their pursuit of remuneration. A claim for \$15,000 for six months of steady work on the specifications and details of their proposed building was filed by the firm and rejected by the government. In support of their claim, the architects had W.G. Storm — another member of the Jury of Award — review their design. While admitting that "there may be some minor defects, which could easily, without adding to the cost, be remedied during construction," Storm judged the plan to be

really excellently conceived and evidences the genuineness of a worked out expression, combining in the elevations that diversity of outline, which the importance of the structure, and the complexity of the internal arrangement demands.<sup>261</sup>

On 28 February 1887, the government offered Darling & Curry the sum of \$4,000. In response, the architects suggested that the government's reluctance to pay a suitable fee arose from a less noble motive than fiscal restraint:

If . . . the Government saw proper to change their purpose and decided that our design was not large enough, important enough, or sufficiently grandiose to be commensurate with the wealth, size and dignity of the Province; that they had made a mistake, and now found that they would be justified in erecting a larger, more

elaborate and costlier edifice, . . . *that* was their own affair, and certainly no *fault of ours*, and it is a cowardly thing, and a dishonest thing, for the Government to make us a scapegoat for their mistake . . . <sup>262</sup>

The conclusion to Darling & Curry's letter betrayed their mounting frustration:

We consider that we have been most harshly, unfairly, and ungenerously dealt with, and that the action of the Government has been cruel and cowardly in the extreme. We . . . are only anxious to have the matter settled, if possible, without further delay, trouble or expense; and we offer . . . to accept a total sum of ten thousand dollars (\$10,000) in full of our claim against you. <sup>263</sup>

On 26 April 1887, the Department of Public Works wrote Frank Darling, offering to publish the reports Waite and provincial architect Kivas Tully had filed concerning the suitability of the design proposed by his firm. Darling's reaction to this proposition is unknown as the record inventory of the Department of Public Works does not contain a reply.

In spite of the architects' outrage, it seemed the profession was already aware of Waite's imminent appointment. In a letter to C.F. Fraser dated 12 February 1886, H.B. Gordon of Gordon & Helliwell contended that such rumours were circulating among the architectural community. He proposed an alternative

by which the advantages of that gentleman's [Waite's] skill and experience may be secured . . . without incurring the great odium of employing an alien to the exclusion of local men and supporters of the party. <sup>264</sup>

Gordon proposed that he be hired as "constructional and resident architect" while Waite be named "consulting architect." Gordon's proposition was



inconsequential as Waite had been officially commissioned to undertake the project on 8 January 1886 — four days before Gordon's letter was written and several weeks before the decision was made public.<sup>265</sup>

### **1886-1893: Building the Queen's Park Legislature**

After six years of deliberation and difficulties, excavation in Queen's Park began in 1886. Waite's plans for the new building were put out to tender and the contract for bricklaying and masonry was awarded to Lionel Yorke of Toronto.<sup>266</sup> On 14 April 1887, Yorke's contract was brought before the Assembly for ratification.<sup>267</sup> A heated debate ensued as the contract had not only been awarded to Yorke without consent of the House, but the amount of the contract was for \$752,000 — more than had been allotted for the construction of the entire building. The opposition accused the Mowat government of hiding this fact from the electorate during the 1886 provincial general election. The Commissioner of Public Works defended the government's conduct by suggesting that the return of a majority government reflected the confidence of the people in the administration and their approval of its actions.<sup>268</sup> In spite of the opposition's attempts, the House ratified Yorke's contract by a vote of 53 to 31. An act to increase the amount allotted for the construction of the Queen's Park buildings by an additional \$300,000 was introduced the following day and passed before the end of the session.<sup>269</sup>

Architecturally, the Legislature was to be constructed in the Romanesque style, a fashion made popular in nineteenth-century America by Chicago architect H.H. Richardson. The "H" shaped building was to cover four acres of Queen's Park, measure a total of 490 feet along the south façade, and have a depth of 294 feet at its wings.<sup>270</sup> Located on the second floor of the building and at the top of a central grand staircase, the legislative chamber was to be the focal point of the edifice and have dimensions of 65 feet by 80 feet. The building contained living quarters for the Speaker of the House and various other government officials, offices for six government departments, a library, and several fireproof vaults.<sup>271</sup>

As prescribed in the *General Instructions* of 1880, materials used in the construction of the Queen's Park buildings were predominantly of provincial origin. Pink sandstone from the Credit Valley and, when adequate supplies of this stone could not be obtained, from Orangeville, was used in construction. In excess of 10 million bricks were produced for use in the parliament buildings by the Central Prison of Toronto; the government paid

\$6 per thousand for these bricks, an amount below the contemporary market price.<sup>272</sup> Many of the interior facets of the building, such as the electrical work and the woodwork, were subcontracted to various local and regional craftsmen.<sup>273</sup>

It had taken six years for the government to select a design for the new parliament buildings and to initiate construction, and more than six years again were to pass before the structure would be completed. During this period, debates over delays in construction surfaced often in the House and in the press. For example, in 1891 a story in the Toronto *Empire* suggested that the Queen's Park buildings had not been completed after almost five years because the Department of Public Works routinely halted construction each year between the fall and the spring. Kivas Tully responded to these allegations with a pointed letter to the editor in which he maintained

the work . . . has been pushed by the Contractors as rapidly as the procuring of the large dimension stone and other details permitted and has not ceased during the present winter.<sup>274</sup>

Tully also noted that more than 60 men were employed at the site, including 18 stonecutters, nine stone carvers, eight carpenters and 23 labourers.<sup>275</sup>

The government's procrastination had only increased the cost of the building. As years elapsed between choosing the building's design and its construction, prices of both labour and material rose. As the Yorke incident had shown, the longer the government took to make decisions regarding plans and materials, the more difficult it became to keep the project within its already increased budget. As a consequence, the Assembly was pressed by the Commissioner of Public Works to further augment the amount allotted for construction in the spring of 1891. On 24 April, a bill to appropriate an additional \$150,000 for the project was introduced; it was passed by the end of the session.<sup>276</sup> The cost of the Legislature at Queen's Park must also be reckoned in human terms as three workmen were killed during the course of construction. According to an article by Frank Yeigh, however, these tragedies were "wholly due to the carelessness of the victims."<sup>277</sup>

It was not until 1893 that "the pile in the Park" was ready for occupation. The final cost of the building was \$1,250,000 — almost \$800,000 more than the amount first allotted by the government for the project in 1880.



Nevertheless, the Department of Public Works seemed satisfied that the money was well spent. A departmental memo dated 14 January 1893 compared the cost of the Queen's Park buildings to that of other public buildings in Canada and the United States. The memo recorded that, with a total floor space of 7,500,000 cubic feet, the Queen's Park buildings' cost a mere 16 $\frac{2}{3}$  cents per cubic foot. This price was one cent per cubic foot less than the cost of Toronto's City Hall and half the price of Quebec's new parliament buildings which encompassed a mere 4,116,533 cubic feet.<sup>278</sup> Of course, the calculations contained in the Department's memo did not take into consideration the cost of repairing and maintaining the Front Street buildings during the construction of the Queen's Park Legislature — a sum which easily exceeded \$60,000 during the 1880s.<sup>279</sup>

The Department of Public Works seemed displeased with the financial demands placed upon it by the project's architect. The Departmental records document the ongoing struggle between Waite and his employers over the subject of fees. While many of Waite's early requests for cash advances were met by the Department, by 1893 he was compelled to take more direct action in his pursuit of remuneration.<sup>280</sup> For example, payment for Waite's 1886 expert examination of the two proposed plans for the Queen's Park buildings remained outstanding some six years later. In a series of letters and documents, Waite brought this fact to the attention of the Commissioner of Public Works and requested payment at the rate established by the American Institute of Architects: 1% on the first \$200,000 of the projected cost of the building and  $\frac{1}{2}$ % on the remaining amount. As had transpired with Darling & Curry and Gordon & Helliwell, the government acknowledged Waite's contribution but disputed the proposed fee. Two years of correspondence and negotiation with the Department of Public Works netted the architect little more than promises that the matter would be addressed as soon as possible. By the spring of 1895, Waite found it necessary to enlist the aid of C.H. Ritchie, a partner in the law firm of Ritchie, Ludwig and Ballantyne of Toronto. Ultimately, the issue of Waite's outstanding fees was settled in 1898 — five years after the building was officially opened.<sup>281</sup>

## 1893-1992: Queen's Park, Toronto<sup>282</sup>

On 4 April 1893, more than 13 years after interest in the project was first expressed, the Legislature at Queen's Park was officially opened with much pomp and circumstance. Contemporary newspapers such as Toronto's *Evening News*, *Daily Mail* and *Globe* contained detailed, enthusiastic reports of the opening of the third session of the province's seventh Parliament.<sup>283</sup> About 350 seats were placed on the floor of the chamber to accommodate the large number of dignitaries and social and political notables who were expected to attend the ceremonies. After the formal opening of the session by the Hon. Thomas Ballantyne, Speaker of the House, and by Lieutenant-Governor Sir George Airey Kirkpatrick, Sir Oliver Mowat, Premier of the province since 1872, was presented with a full-sized portrait of himself. The painting now hangs on the east side of the grand staircase leading to the legislative chamber. A circumscribed agenda allowed the House to adjourn early and let Members partake in the festivities which followed. In her diary entry for 4 April 1893, observer Mrs. John Clover recounted the excitement and society of the day:

The weather being fine there was a large concourse of people, Members and Representatives from all parts of Ontario [present at the opening] . . . About 3 o'clock Mr. Speaker Ballantyne read the prayer and soon after the Lieutenant Governor Kirkpatrick arrived preceded by a score of military officers and he immediately read the speech from the throne . . . When the house [sic] had adjourned the Lieu[tenant] Governor and Mrs. Kirkpatrick held a reception, which lasted almost an hour . . . The reception took place immediately below the Speaker's throne on the floor of the House . . .<sup>284</sup>

Non-alcoholic beverages were served and two military bands serenaded the prominent and the merely curious as they wandered through the building, taking in the architectural splendours of the new palace of government.<sup>285</sup>

Although replete with details concerning the day's political and social events, many of the contemporary newspaper accounts failed to mention that the



Queen's Park building was not completed by opening day. While suitable for occupation by the Assembly and some government departments (which had begun to move into the structure during the previous year), several minor details still remained to be addressed in April 1893. In fact, workmen had been on site until noon of the opening day and were ordered to vacate the building for only as long as the ceremony and reception lasted.<sup>286</sup> As Waite pointed out to a reporter from the *Toronto Empire*, items such as the installation of the mahogany handrail on the grand staircase and the completion of a staircase connecting the first and second floors on the left side of the chamber were still awaiting completion.<sup>287</sup> Not surprisingly, one of the first acts of the Assembly in its new home was to pass a bill appropriating a further \$15,000 for the finishing touches to the building.<sup>288</sup>

### **1900-1970: The Age of Expansion**

By the early years of the twentieth century it was obvious that the new palace of government could not contain the expanding provincial bureaucracy. A recurring theme in the development of Queen's Park over the last century has been, in fact, the need for increasing amounts of office space. Floor plans for 1893 show that the east wing of the new parliament buildings was to be occupied by the provincial executive and government departments while the west wing was reserved for the Clerk, the Sergeant-at-Arms and other legislative officers. The growth of the province's administration dictated that these plans be modified several times before the turn of the century. The subdivision of offices began as early as 1897 and escalated as old departments outgrew their limited office space and new administrative units were created. By 1905, an addition to Queen's Park had become a necessity.<sup>289</sup>

Early in 1909, work began on a foundation for a north wing which would house the Legislative Library and other departmental offices.<sup>290</sup> However, shortly after noon on 1 September of that year, a fire broke out in the west wing of the Legislature. The fire not only devastated parts of the main building, but it also destroyed the Legislative Library, the offices of the Departments of Health, Labour and the Registrar General, causing an estimated \$700,000 worth of damage.<sup>291</sup> The *Toronto Globe* gave a spectacular account of the event:

With a startlingly sudden intonation the glass-covered ceiling at the western end of the main building gave way and crashed

with a beam of burning timber to the ground floor, three stories below.

Through the aperture the roof glowed livid in fire, the blaze burst out in wild flames and the building was instantly in an uproar.<sup>292</sup>

The quick actions of several government administrators were credited with containing the blaze until the fire brigade arrived some 22 minutes after the first alarm.<sup>293</sup> Although the building's entire electrical system had been overhauled in 1908, faulty electric wiring was originally thought to have caused the incident. The province's Chief Electrical Inspector later dismissed this theory as "a wild guess at the most."<sup>294</sup> The Commissioner of Public Works' *Report* for 1909 stated that the fire was likely started by sparks from a charcoal burner used by tinsmiths who were repairing the roof's galvanized iron work.<sup>295</sup> Less than a week after the incident, the decision had been made to reconstruct the devastated west wing and to install, belatedly, a fire-proof roof over the damaged building.<sup>296</sup>

Between 1909 and 1911 the reconstruction of the west wing and the erection of a north wing for the Legislature were under way. The Department of Public Works' 1911 *Report* correctly predicted that the offices and apartments contained within the west wing would be ready for occupation by the opening of the province's 13th Parliament in 1912. The Throne Speech of 5 February 1913 announced that "the new Library wing and the reconstructed west wing of the Parliament buildings have been completed, and are now occupied."<sup>297</sup> The cost of this expansion was more than \$730,000.<sup>298</sup> While primarily constructed to house the Legislative Library, other administrative units including the Provincial Board of Health, the Department of Education and some sections of the Department of Agriculture were assigned space in the north wing. The restored west wing became home to the offices of the Provincial Archivist and to the Ontario Municipal and Railway Board.<sup>299</sup>

The reconstruction of the west wing and the addition of a north wing solved the problem of limited office space for only a short time. By 1919, the subdivision of rooms and reclamation of unused hallways, washrooms and attic space in the new wings were reaching a peak. In response to this problem, the Department of Public Works considered adding two storeys to the north wing. A study of the proposal by a departmental architect,



however, revealed its unsuitability. In a letter dated 4 June 1919, the project architect noted that the north wing

does not lend itself for [sic] a suitable office building, as it has been built principally to accommodate the Library . . . The erection of the additional stories . . . would not, when completed, be as satisfactory as a new building which has been designed for the purpose for which it is intended.<sup>300</sup>

Preliminary sketches for an East Block were submitted to the Department of Public Works shortly thereafter. Envisioned as an example of "standard office building construction," the East Block was four storeys tall and encompassed almost 60,000 square feet of office space. The building was Gothic in design with a grey stone exterior, a style that would "harmonize" the structure with neighbouring university buildings and "would not be an objectionable contrast to the Parliament buildings."<sup>301</sup> By the summer of 1925, work began on the East Block and on a tunnel which would connect the edifice with the parliament building.<sup>302</sup> Completed at a cost of more than \$800,000, the East Block was occupied by the early 1930s. On 27 January 1966, the East Block was renamed the Whitney Block in honour of Sir James Pliny Whitney, Premier of the Province of Ontario from 1905 to 1914.<sup>303</sup>

With the completion of the East Block, attention returned to the legislative buildings. In 1937, the closure of the Lieutenant-Governor's Rosedale residence, Chorley Park, necessitated remodelling the Speaker's suite in the west wing of the main Legislative Building. The Department of Public Works Annual Report for 1938 recorded that

Alterations were begun to provide accommodation in the former suite of the Honourable the Speaker, for the Honourable the Lieutenant Governor, adding to it, as an additional room, the Ministers' dining room . . . Further extensions to this suite were made by adding the reception room (used as the Members' dining room during the session) with communicating doors to the suite.<sup>304</sup>

Some of the furnishings and furniture from Chorley Park were placed in the new suite; the greater part of the remaining items were "disposed of by public auction in June, 1938."<sup>305</sup> On 19 April 1938, the Lieutenant-Governor officially took possession of his new suite in Queen's Park.<sup>306</sup> Since that time, the two-storey suite has been used by the province's ten Lieutenant-Governors and their staff. In addition, royalty, political and ecclesiastic dignitaries, and social luminaries have been received and entertained within the walls of formal dining and reception rooms. The numerous award ceremonies and receptions which the Lieutenant-Governor hosts — including the annual New Year's Day levee — ensure that the rooms are seldom vacant.<sup>307</sup>

### **Of Royalty and Restorations**

The present parliament building has often been the focal point of public celebrations and ceremonies such as royal jubilees, military victories, and anniversaries, including Canada's Centennial. One of the more elaborate decorative displays was mounted to celebrate the visit of Their Majesties King George VI and Queen Elizabeth to Queen's Park on 22 May 1939. The visit, part of a cross-country tour, was the first in Canada by a reigning British monarch.<sup>308</sup>

In front of the main entrance, a reception dais was erected protected by a circular projecting canopy supported on heavy columns covered in royal blue cloth, with moulded, painted and gilded caps and slender royal red steel columns, carrying a roof with a cornice ornamented in royal blue, red and gold with a deep fringe in gold; the underside was lined in shirred soft sand coloured satin faced cloth . . . On the building 30 foot Union Jacks were hung and from the tower flanking the centre and from the main cornice were set out flags to hang vertically . . .<sup>309</sup>

Other members of the royal family have also been fêted at Queen's Park, including Her Majesty Queen Elizabeth II in 1959 and 1973.<sup>310</sup> Although Their Royal Highnesses the Prince and Princess of Wales did visit with the Lieutenant-Governor in his suite at Queen's Park during their visit to Toronto



in October 1991, the most recent public royal visit to Queen's Park occurred on 6 July 1989 as part of Her Majesty Queen Elizabeth the Queen Mother's Ontario tour.<sup>311</sup>

Recently, interest in Ontario's parliamentary heritage has manifested itself in a desire to restore and renovate the Queen's Park buildings. In a report tabled 10 February 1987, the Standing Committee on the Legislative Assembly recommended that a special committee of the House be appointed to supervise and co-ordinate a comprehensive restoration of the Legislature.<sup>312</sup> This report was not debated in the House, however, and died with the dissolution of the province's 33rd Parliament on 31 July 1987. The issue soon resurfaced and on 29 June 1988 the Assembly authorized the Subcommittee on Agenda and Procedure of the Standing Committee on the Legislative Assembly to meet periodically to consider restoration and renovation proposals for the Queen's Park buildings. Almost six months later, on 15 December 1988, the Committee filed its report. Citing both "the Parliament Building's distinction as an expression of the symbolic and monumental aspirations of its era" and its political importance, the Subcommittee recommended that a special all-party committee be instituted to deal with this issue.<sup>313</sup> The Special Committee on the Parliamentary Precinct would be authorized

to develop, approve and supervise and co-ordinate the implementation of a programme for the restoration, renovation, rehabilitation, cyclical maintenance and use of the Parliament Building and grounds . . .<sup>314</sup>

The report was adopted by the House and the Special Committee on the Parliamentary Precinct was established on 12 March 1989.

In the months that followed, the Committee considered renovation and restoration proposals from several architectural firms. On 20 June 1990, the Assembly acted on the Committee's recommendation and hired the Ottawa-based firm of Julian S. Smith, Architect & Associates to prepare a restoration master plan. Following the 1990 provincial general election, the Special Committee on the Parliamentary Precinct was reconstituted by the House and, in January 1991, Smith submitted a draft of his master plan to the Committee. In phrases similar to those used by Kivas Tully in 1880, Smith noted that the restoration was urgently needed to combat "physical and functional decay":

Almost one hundred years later, the building is showing its age. It does not meet contemporary standards of life safety or accessibility. It has antiquated mechanical and electrical systems, which are both inefficient and hazardous. It has a leaking roof. Everywhere one looks, the original richness of the building's design and craftsmanship has been obscured by a long history of necessary but often haphazard and insensitive changes.<sup>315</sup>

Moreover, Smith pointed out that the restoration of the building would not only rectify structural deficiencies but would also "foster public awareness, understanding and appreciation of the significance of the Legislative Assembly . . . as a repository of our cultural heritage, [and] a tangible symbol of Ontario's political and social history."<sup>316</sup>

The draft plan entailed not only the restoration of the building but, in keeping with the Special Committee's priorities, also involved a programme for making the building more accessible to the public. Based on a four-phase restoration of the building and grounds, Smith's proposal would take more than eight years and cost \$100 million.<sup>317</sup> Although Smith's draft restoration plan was approved in principle by the Committee on 25 April 1991, it has yet to be studied and approved by the Assembly. At the time of writing, restoration and repair work had begun on the roof, stonework, and windows of the Legislative Building as part of the building's normal maintenance programme.<sup>318</sup>



**Appendix: Location of the Legislatures, 1792 to Date**

**A General Guide to Assist the Reader**

*Province of Upper Canada*

Newark (now Niagara-on-the-Lake)	1792-1796	Navy Hall or Freemasons' Hall
York (became Toronto in 1834)	1797-1813	Parliament buildings, foot of Parliament Street; destroyed by fire
	1814	Temporary accommodation, Jordan's Hotel
	1815-1820	Temporary accommodation, The Lawn, later the residence of Chief Justice William Henry Draper
	1820-1824	New Parliament buildings on or adjacent to site of old buildings; destroyed by fire
	1825-1828	Temporary accommodation in old general hospital
	1829-1832	Temporary accommodation in old courthouse
	1832-1841	New Parliament buildings, Front Street

*Province of Canada*

Kingston	1841-1843	Hospital
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*"The Palaces of Government"*

Montreal	1844-1849	Converted St. Anne Market; destroyed by fire; subsequent temporary accommodation in Bonsecours Market Hall and Freemasons' Hall
Toronto	1849-1851	Parliament buildings, Front Street
Quebec	1852-1855	Parliament building; destroyed by fire; subsequent temporary accommodation in the Quebec Music hall and the courthouse; library housed in the Seminary
Toronto	1856-1859	Parliament buildings; Front Street
Quebec	1860-1865	New Parliament buildings
Ottawa	1866-1867	Parliament buildings
<i>Province of Ontario</i>		
Toronto	1867-1892	Parliament buildings, Front Street
	1893 to date	New Parliament buildings, Queen's Park. Fire destroyed west wing, 1909; north wing added, 1912

Source: Fiona M. Watson, "A Credit to this Province": A History of the Ontario Legislative Library and its Predecessors (Toronto: Ontario Legislative Library, 1993).



## Notes

<sup>1</sup> For a more detailed discussion of the development of Newark/Niagara-on-the-Lake prior to 1792, see: Joy Ormsby, "Building a Town: Plans, Surveys, and the Early Years of Niagara-on-the-Lake," in *The Capital Years: Niagara-on-the-Lake, 1792-1796*, eds. R. Merritt, N. Butler, and M. Power, (Toronto: Dundurn Press, 1991), pp. 15-43. See also: Faye V. Whitfield, "The Initial Settling of Niagara-on-the-Lake, 1778-1784," *Ontario History* 83:1 (March 1991): 4-6; and C.C. James, "The First Legislators of Upper Canada," *Proceedings and Transactions of the Royal Society of Canada*, 2nd series, vol. 8 (1902): 95, 99.

<sup>2</sup> *The Constitutional Act, 1791*, 31 George III, c. 31 (U.K.), ss. 2, 3, 13.

<sup>3</sup> *Ibid.*, ss. 3, 17.

<sup>4</sup> *Ibid.*, s. 14.

<sup>5</sup> See: Brian Leigh Dunnigan, "Military Life at Niagara, 1792-1796," in *The Capital Years: Niagara-on-the-Lake, 1792-1796*, pp. 68-71, 93-95.

<sup>6</sup> William Renwick Riddell, *The Life of John Graves Simcoe, the First Lieutenant-Governor of the Province of Upper Canada, 1792-1796* (Toronto: McClelland and Stewart, 1926), pp. 117, 135.

<sup>7</sup> J.G. Simcoe to Hon. Henry Dundas, memorandum, 30 June 1791, in *The Correspondence of Lieutenant-Governor John Graves Simcoe with allied Documents relating to his administration of the Government of Upper Canada*, vol. 1: 1789-1793, ed. E.A. Cruikshank (Toronto: Ontario Historical Society, 1923), pp. 27-28. See also: Riddell, *Life of John Graves Simcoe*, p. 165.

<sup>8</sup> Alured Clarke to Henry Dundas, letter, 25 May 1793, in *Correspondence of Lieutenant-Governor John Graves Simcoe*, vol. 1, p. 336; Whitfield, "Initial Settling of Niagara-on-the-Lake," p. 6; Janet Carnochan, *History of Niagara* (Belleville, Ont.: Mika, 1973), p. 10; and Riddell, *Life of John Graves Simcoe*, p. 165.

<sup>9</sup> Mary Beacock Fryer, *Elizabeth Posthuma Simcoe, 1762-1850: A Biography* (Toronto: Dundurn Press, 1989), p. 64.

<sup>10</sup> Duncan Campbell Scott, "Notes on the Meeting Place of the First Parliament of Upper Canada and the Early Buildings at Niagara," *Proceedings and Transactions of the Royal Society of Canada*, 3rd series, vol. 7 (1914): 178; Fryer, *Elizabeth Posthuma Simcoe*, p. 65; Peter John Stokes, *Old Niagara on the Lake* (Toronto: University of Toronto Press, 1971), pp. 8-9; and Riddell, *Life of John Graves Simcoe*, p. 165.

<sup>11</sup> Elizabeth Posthuma Simcoe, *The Diary of Mrs. John Graves Simcoe*, ed. John Ross Robertson (Toronto: The Ontario Publishing Co. Ltd., 1934), p. 121.

<sup>12</sup> J.G. Simcoe to James Bland Burges, letter, 21 August 1792, in *Correspondence of Lieutenant-Governor John Graves Simcoe*, vol. 1: 1789-1793, p. 205.

<sup>13</sup> Duc de La Rouchefoucauld-Liancourt, *Travels in Canada, 1795*, with annotations and strictures by Sir David William Smith, in ed. William Renwick Riddell, *Thirteenth Report of the Bureau of Archives for the Province of Ontario* (Toronto: A.T. Wilgress, 1917), p. 38.

<sup>14</sup> See: Minutes of the Executive Council of Upper Canada, 13 July 1793, in *Correspondence of Lieutenant-Governor John Graves Simcoe*, vol. 1, p. 386.

<sup>15</sup> Simcoe, *The Diary of Mrs. John Graves Simcoe*, p. 125.

<sup>16</sup> Riddell, *Life of John Graves Simcoe*, p. 165.

<sup>17</sup> William Kirby, *Annals of Niagara*. Edited with an introduction by Lorne Pierce (Toronto: Macmillan, 1927), pp. 114-117.

<sup>18</sup> See: Joy Ormsby, "Building a Town: Plans, Surveys, and the Early Years of Niagara-on-the-Lake," in *The Capital Years: Niagara-on-the-Lake, 1792-1796*, pp. 21-22.

<sup>19</sup> Whitfield, "Initial Settling," pp. 6-7.

<sup>20</sup> John Graves Simcoe to Alured Clarke, letter, 4 June 1793, in *Correspondence of Lieutenant-Governor John Graves Simcoe*, vol. 1, p. 348; J. G. Simcoe to Lord Dorchester, letter, 3 March 1796 in *Correspondence of Lieutenant-Governor John Graves Simcoe*, vol. 4: 1795-1796 (Toronto: The Ontario Historical Society, 1926), p. 209; Scott, "Notes on the Meeting



Place of the First Parliament," pp. 176-177; and Carnochan, *History of Niagara*, p. 15.

<sup>21</sup> Minutes of a Council with the Indians, 8-9 July 1793 in *Correspondence of Lieutenant-Governor John Graves Simcoe*, vol. 1, pp. 377-382; John Ross Robertston, *The History of Freemasonry in Canada from its Introduction in 1749*, vol. 1 (Toronto: Hunter, Rose Co., 1899), pp. 276, 340, 360; Scott, "Notes on the Meeting Place of the First Parliament," p. 176; Carnochan, *History of Niagara*, p. 16; and Riddell, *Life of John Graves Simcoe*, p. 173.

<sup>22</sup> Scott, "Notes on the Meeting Place of the First Parliament," p. 176.

<sup>23</sup> E.B. Littlehales to Major Smith, General Order, 16 September 1792, as quoted in *ibid.*

<sup>24</sup> *Ibid.*

<sup>25</sup> Frank Yeigh, *Ontario's Parliament Buildings; or, A Century of Legislation, 1792-1892* (Toronto: Williamson Book Co., 1983), p. 19; and Eric Arthur, *From Front Street to Queen's Park: The Story of Ontario's Parliament Buildings* (Toronto: McClelland and Stewart, 1979), pp. 26-27.

<sup>26</sup> John Graves Simcoe to the Duke of Richmond, letter, undated, in *The Correspondence of Lieutenant-Governor John Graves Simcoe, with allied Documents relating to his administration of the Government of Upper Canada*, vol. 5: 1792-1796 (supplementary), ed. E.A. Cruikshank (Toronto: Ontario Historical Society, 1931), p. 74.

<sup>27</sup> See: J.G. Simcoe to Alured Clarke, letter, 31 May 1793, and Peter Russell to Sir Henry Clinton, letter, 29 September 1793, in *The Town of York, 1793-1815: A Collection of Documents of Early Toronto*, ed. Edith G. Firth (Toronto: The Champlain Society, 1962), pp. 3-5, 19-20; La Rochefoucauld-Liancourt, *Travels in Canada 1795*, p. 67; and Arthur, *From Front Street to Queen's Park*, p. 29.

<sup>28</sup> In his diary for 1803-1804, Lord Selkirk noted that

"The Seat of Gov[ernmen]t. was removed to York in a slap dash manner soon after the [military] Posts were given up — Niagara had been chosen by Gen[era]l. Simcoe under

the idea of the land to the Genesee & being retained by Britain & when disappointed of this, he would not hold his Parliament under the Guns of an American Fortress — he had an aversion at Kingston, partly because Lord Dorche[este]r approved of it, but principally because all the lands were taken up around it — York had the advantage of being able to afford lots for all his friends round it, & accordingly the lands for some miles distance are all in the hands of Officers of the Gov[ernmen]t etc. etc. — & generally remain unimproved.

See: Thomas Douglas, Earl of Selkirk, *Lord Selkirk's Diary, 1803-1804: A Journal of his travels in British North America and the Northeastern United States*, ed. Patrick C. T. White (Toronto: The Champlain Society, 1958), p. 145.

<sup>29</sup> Firth, *The Town of York, 1793-1815*, p. xxxi; G.P. de T. Glazebrook, *The Story of Toronto* (Toronto: University of Toronto Press, 1971), pp. 6-7; and Jesse Edgar Middleton, *Toronto's 100 Years* (Toronto: The Centennial Committee, 1934), p. 4.

<sup>30</sup> Glazebrook, *The Story of Toronto*, p. 7. See also: Marjorie Wilkins Campbell, *The North West Company* (Vancouver and Toronto: Douglas and McIntyre, 1953; reprint, 1973), pp. 1-6.

<sup>31</sup> Percy J. Robinson, *Toronto During the French Regime: A History of the Toronto Region from Brûlé to Simcoe, 1615-1793* (Toronto: University of Toronto Press, 1965), pp. 165, 175; Firth, *The Town of York, 1793-1815*, p. xxxi; and Arthur, *From Front Street to Queen's Park*, pp. 29-30.

<sup>32</sup> Ernest J. Hathaway, *The Story of the Old Fort at Toronto* (Toronto: Macmillan, 1934), pp. 10-11.

<sup>33</sup> For a detailed history of Fort York, see: Ernest J. Hathaway, *The Story of the Old Fort at Toronto* (Toronto: Macmillan, 1934).

<sup>34</sup> Peter Russell to Elizabeth Russell, letter, 1 September 1793, Peter Russell Papers, Archives of Ontario.



<sup>35</sup> Glazebrook, *The Story of Toronto*, p. 13.

<sup>36</sup> General Order Naming York, 26 August 1793, in Firth, *The Town of York, 1793-1815*, p. 7.

<sup>37</sup> Henry Scadding, *Toronto of Old: Collections and Reflections* (Toronto: Adam Stevenson & Co., 1873), pp. 20-21; and Firth, *The Town of York, 1793-1815*, p. 7.

<sup>38</sup> J.G. Simcoe to the Duke of Portland, letter, 27 February 1796, in *Correspondence of Lieutenant-Governor John Graves Simcoe*, vol. 4: 1795-1796 (Toronto: The Ontario Historical Society, 1926), p. 201.

<sup>39</sup> Yeigh, *Ontario's Parliament Buildings*, p. 20. See also: Scadding, *Toronto of Old*, p. 31.

<sup>40</sup> *Upper Canada Gazette*, 10 July 1794, pp. 4, 6, Archives of the Province of Ontario (AO); and *ibid.*, 12 October 1796 - 28 December 1796, AO.

<sup>41</sup> Peter Russell to John McGill, letter, 15 March 1797, and Peter Russell to John Graves Simcoe, letter, 9 December 1797, in Firth, *The Town of York, 1793-1815*, pp. 39-40, 46.

<sup>42</sup> Lucy Booth Martyn, *The Face of Early Toronto* (Sutton West, Ont.: Paget Press, 1982), p. 25; William Dendy and William Kilbourn, *Toronto Observed: Its Architecture, Patrons, and History* (Toronto: Oxford University Press, 1986), p. 134; J. Ross Robertson, *Landmarks of Toronto*, vol. 3, Canadiana Reprint Series No. 62 (Belleville, Ont.: Mika Publishing, 1974), p. 317; Arthur, *From Front Street to Queen's Park*, pp. 31-33; and Dendy, *Lost Toronto*, p. 30.

<sup>43</sup> William Renwick Riddell, "The Duel in Early Upper Canada," *Canadian Law Times* 35 (1915): 727.

<sup>44</sup> Scadding, *Toronto of Old*, pp. 2-3.

<sup>45</sup> See: Upper Canada, House of Assembly, *Journals of the House of Assembly*, 3rd Session, 4th Parliament, in "Sixth Report of the Bureau of Archives for the Province of Ontario," ed. Alexander Fraser (Toronto: L.K. Cameron, 1911), pp. 417-418, 420, 435, 442, 451, 453, 454.

<sup>46</sup> Peter Hunter to Robert, Baron Hobart, letter, 10 April 1804, in *The Town of York, 1793-1815*, pp. 54-56.

<sup>47</sup> Upper Canada, Legislative Assembly, *Journals of the House of Assembly*, 4th Parliament, 4th Session, in "Sixth Report of the Bureau of Archives for the Province of Ontario," pp. 202-205.

<sup>48</sup> For further discussion of the American invasion and subsequent occupation of York in April 1813, see: Dr. John Strachan to Dr. James Brown, letter, 26 April 1813, in Firth, *The Town of York, 1793-1815*, pp. 294-296; Charles W. Humphries, "The Capture of York," *Ontario History* 51:1 (1959): 1-21; Barlow Cumberland, *The Battle of York: An Account of the Eight Hours' Battle from the Humber Bay to the Old Fort in the Defense of York on 27th April 1813*, Centennial Series: War of 1812-1815 (Toronto: William Briggs, 1913), pp. 14-30; Dendy and Kilbourn, *Toronto Observed*, p. 134; and Arthur, *From Front Street to Queen's Park*, p. 34.

<sup>49</sup> G. Auchinleck, *A History of the War between Great Britain and the United States of America during the years 1812, 1813, & 1814*, with an introduction by H. C. Campbell (Toronto: Maclear & Co., 1855; reprint, Arms and Armour Press, 1972), p. 149; and *United States Gazette*, letter to the Editor dated 22 April 1813 in *The Documentary History of the Campaign upon the Niagara Frontier in the year 1813*, Part 1 (1813), ed. E. Cruikshank (Welland, Ont.: Tribune Office, 1902), p. 160.

<sup>50</sup> John Strachan to unspecified recipient, letter, 2 August 1813, in *The John Strachan Letter Book: 1812-1834*, ed. George W. Spragge (Toronto: The Ontario Historical Society, 1946), p. 41.

<sup>51</sup> Brigade Order, 25 April 1813, in *The Documentary History of the Campaign upon the Niagara Frontier in the Year 1813*, Part 1 (1813), p. 163.

<sup>52</sup> *Ibid.*

<sup>53</sup> Terms of Capitulation Entered into on the 27th April 1813, for the Surrender of the Town of York in Upper Canada, to the Army and Navy of the United States, under Major-General Dearborn and Commodore Chauncey in *Documentary History of the Campaign upon the Niagara Frontier in the Year 1813*, Part 1 (1813), pp. 164-166.



<sup>54</sup> See: *War Losses — Claims presented to the Commission of 1823-1825*, RG 19, Series C1, vols. 16-35, National Archives of Canada.

<sup>55</sup> See: Strachan, *The John Strachan Letter Book, 1812-1834*, passim; and "At a Meeting of the Magistrates Resident in the Town of York, Attended by the Judges, the Sheriff and the Rev. Dr. Strachan," not dated; Major William Allan to Major-General Sheaffe, letter, 2 May 1813, in *Documentary History of the Campaign upon the Niagara Frontier in the Year 1813*, Part 1.

<sup>56</sup> Commodore Chauncey to William Jones, Secretary of the [American] Navy, letter, as quoted in Auchinleck, *History of the War between Great Britain and the United States of America*, pp. 155-156; and Hathaway, *The Story of the Old Fort at Toronto*, pp. 26-27.

<sup>57</sup> Ontario, Legislative Assembly, *Journals of the Legislative Assembly of the Province of Ontario*, vol. 69, 19th Parliament, 1st Session (Toronto: T. E. Bowman, 1935), pp. 17-18.

<sup>58</sup> Donald Jones, "Hotel became Parliament Buildings," *Toronto Star*, 17 March 1990, p. M4; Edith G. Firth, ed., *The Town of York, 1815-1834: A Further Collection of Documents of Early Toronto* (Toronto: University of Toronto Press, 1966), p. xviii; Margaret McBurney and Mary Byers, *Tavern in the Town: Early Inns and Taverns of Ontario* (Toronto: University of Toronto Press, 1987), pp. 89-93; Yeigh, *Ontario's Parliament Buildings*, p. 30; Arthur, *From Front Street to Queen's Park*, p. 35; and Robertson, *Robertson's Landmarks of Toronto*, vol. 3, p. 318.

<sup>59</sup> McBurney and Byers, *Tavern in the Town*, p. 89; and Glazebrook, *The Story of Toronto*, p. 19.

<sup>60</sup> Upper Canada, House of Assembly, *Journals of the House of Assembly of Upper Canada*, 7th Parliament, 2nd Session in *Ninth Report of the Bureau of Archives*, pp. 455-457.

<sup>61</sup> John Strachan to Major General Sir George Murray, letter, 25 October 1813 in *John Strachan Letter Book*, p. 93.

<sup>62</sup> Ibid.

<sup>63</sup> Ibid.

<sup>64</sup> See: Firth, *The Town of York, 1815-1834*, pp. xix; and Strachan, *John Strachan Letter Book*, pp. 93-99.

<sup>65</sup> Upper Canada, House of Assembly, *Journals of the House of Assembly*, 7th Parliament, 2nd Session, in "Ninth Report of the Bureau of Archives for the Province of Ontario," ed. Alexander Fraser (Toronto: L.K. Cameron, 1913), pp. 466-467.

<sup>66</sup> *Ibid.*, p. 467.

<sup>67</sup> *Ibid.*

<sup>68</sup> See: *idem*, *Journals of the House of Assembly*, 7th Parliament, 3rd Session in "Tenth Report of the Bureau of Archives for the Province of Ontario," ed. Alexander Fraser (Toronto: L.K. Cameron, 1914), p. 83; and *idem*, *Journals of the House of Assembly*, 7th Parliament, 4th Session, in "Tenth Report of the Bureau of Archives," p. 190.

<sup>69</sup> Peter Robinson was, at this time, also the Member for the riding of Durham, Simcoe and the East Riding of York.

<sup>70</sup> Dr. Powell was also Clerk of the House of Assembly from 1813-1827.

<sup>71</sup> Upper Canada, House of Assembly, *Journals of the House of Assembly*, in "Tenth Report of the Bureau of Archives," p. 108. See also: Yeigh, *Ontario's Parliament Buildings*, p. 36.

<sup>72</sup> Scadding states that these buildings were "more conspicuous and more capacious" than the 1796 buildings, but were "still plain and simply cubical brick block [edifices]." Scadding, *Toronto of Old*, p. 3. See also: Arthur, *From Front Street to Queen's Park*, p. 36; Yeigh, *Ontario's Parliament Buildings*, p. 36; and Dendy, *Lost Toronto*, pp. 30-31.

<sup>73</sup> Grant Powell to George Hillier, letter, 30 December 1824, in Firth, *The Town of York, 1815-1834*, pp. 17-18.

<sup>74</sup> Dendy and Kilbourn, *Toronto Observed*, p. 134; Arthur, *From Front Street to Queen's Park*, p. 36; and Yeigh, *Ontario's Parliament Buildings*, p. 37.

<sup>75</sup> Arthur, *From Front Street to Queen's Park*, p. 36; and Yeigh, *Ontario's Parliament Buildings*, p. 37.



In his account of the Hospital's history, C.K. Clarke comments on the appropriateness of using the building as a home for the Legislature: "It was unfortunate to have the Hospital descend to such uses, but justice was done somewhat later when a wing of the Legislative Assembly on Front Street became, for a short period, a lunatic asylum."

See: C.K. Clarke, *A History of the Toronto General Hospital* (Toronto: William Briggs, 1913), p. 37.

<sup>76</sup> In a letter to Dugald Stewart, John Strachan states the Society was instituted "in the beginning of 1813." See: John Strachan, Rector of York and Treasurer of the Loyal and Patriotic Society of Upper Canada, to Dugald Stewart, letter, winter 1814, in *John Strachan Letter Book*, pp. 58-59; W.G. Cosbie, *The Toronto General Hospital, 1819-1965: A Chronicle* (Toronto: Macmillan, 1975), p. 6; and Martyn, *The Face of Early Toronto* p. 88.

<sup>77</sup> Cosbie, *Toronto General Hospital*, p. 7.

<sup>78</sup> The membership of the original board of Trustees for the York General Hospital was as follows: Chief Justice William Dummer Powell, James Baby and Rev. Dr. John Strachan. See: Ibid.

<sup>79</sup> Clarke, *History of the Toronto General Hospital*, pp. 34-37, 40; Cosbie, *Toronto General Hospital*, pp. 7-9; and Martyn, *The Face of Early Toronto*, p. 88.

<sup>80</sup> "John Ewart (Euart)," *The Dictionary of Canadian Biography*, vol. 8 (Toronto: University of Toronto Press, 1988), p. 281; Clarke, *History of the Toronto General Hospital*, pp. 38, 39; Cosbie, *Toronto General Hospital*, p. 10; and Robertson, *Robertson's Landmarks of Toronto*, vol. 3, p. 318.

<sup>81</sup> "John Ewart (Euart)," *Dictionary of Canadian Biography*, vol. 8, pp. 280-281; "John Ewart," *Architectural Conservancy of Ontario Records*, City of Toronto Archives; and Cosbie, *Toronto General Hospital*, p. 10.

Ewart later became the father-in-law of Oliver Mowat, Premier of the Province of Ontario from 1872-1896. See: A. Margaret Evans, "Oliver Mowat: The Pre-Premier and Post-Premier Years," *Ontario History* 62 (September 1970): 141.

<sup>82</sup> Minutes of the Meetings of the Board of Trustees, York General Hospital, 6 January 1825, pp. 2-3, Toronto General Hospital Archives (TGHA). See also: Cosbie, *Toronto General Hospital*, p. 11.

<sup>83</sup> See: Minutes of the Meetings of the Board of Trustees, York General Hospital, 5 November 1825, p. 4, TGHA.

<sup>84</sup> See: Upper Canada, House of Assembly, *Journals of the House of Assembly*, 1825-1826, 9th Parliament, 2nd Session (York, U. C.: Francis Collins, 1826), pp. 93-94, 96, 104, 106.

<sup>85</sup> Arthur, *From Front Street to Queen's Park* pp. 45-46; and Yeigh, *Ontario's Parliament Buildings*, p. 42.

<sup>86</sup> Upper Canada, House of Assembly, *Journals of the House of Assembly*, 9th Parliament, 3rd Session (York, U.C.: W.L. Mackenzie, 1827), pp. 93-94.

<sup>87</sup> Many of the works concerning the history of the parliament buildings fail to explain why Rogers' and not Nixon's plans were used for the estimate.

<sup>88</sup> Upper Canada, House of Assembly, *Journals of the House of Assembly*, 9th Parliament, 4th Session (York: Francis Collins, 1828), pp. 129-130. See also: William Allan, William Thompson, and Grant Powell to George Hillier, Military Secretary to the Lieutenant-Governor, letter, 10 May 1828, in Firth, *The Town of York 1815-1834*, pp. 21-22; Yeigh, *Ontario's Parliament Buildings*, pp. 42-43; Arthur, *From Front Street to Queen's Park*, p. 46; and "John Ewart," *Dictionary of Canadian Biography*, vol. 8, p. 281.

<sup>89</sup> "Petition of Hospital Trustees," Firth, *The Town of York, 1815-1834*, p. 231.

<sup>90</sup> Message from Lieutenant-Governor John Colborne to the House of Assembly, 24 June 1829, in Firth, *The Town of York, 1815-1834*, p. 22; Arthur, *From Front Street to Queen's Park*, p. 36; and Yeigh, *Ontario's Parliament Buildings*, p. 37.

<sup>91</sup> Dendy and Kilbourn, *Toronto Observed*, p. 134; Yeigh, *Ontario's Parliament Buildings*, p. 43; and Robertson, *Robertson's Landmarks of Toronto*, vol. 5, p. 566.



<sup>92</sup> Yeigh, *Ontario's Parliament Buildings*, pp. 43-44; and Arthur, *From Front Street to Queen's Park*, p. 46.

<sup>93</sup> See: "The Parliament Buildings on Front Street, Ground floor plan in 1832;" and "The Parliament Buildings on Front Street, Second floor plan in 1832," in Arthur, *From Front Street to Queen's Park*, pp. 40-41.

<sup>94</sup> The other buildings were as follows: "Education": Upper Canada College (northwest corner), "Damnation": the British Hotel and Tavern (northeast corner), and "Salvation": St. Andrew's Presbyterian Church (southeast corner).

See: *A Street Called Front: Glimpses of an Historic Thoroughfare and Some of its Interesting Neighbours* (Toronto: Marathon Realty Company Ltd., 1983), p. 14; and Arthur, *From Front Street to Queen's Park*, pp. 43-44.

<sup>95</sup> G.P. Ure, *A Handbook of Toronto* (Toronto: Lovell and Gibson, 1858), pp. 267-269; Arthur, *From Front Street to Queen's Park*, pp. 44-45; and Dendy, *Lost Toronto*, p. 31.

<sup>96</sup> Dendy, *Lost Toronto*, pp. 31-32.

<sup>97</sup> For further information on Samuel George Curry and his architectural career, see: *Globe and Mail*, 12 February 1942, p. 5; and Rev. Stuart C. Parker, "Samuel George Curry," *RAIC Journal* (June 1942): 140.

<sup>98</sup> *The Union Act, 1840*, 3-4 Victoria, c. 35 (U.K.), preamble.

<sup>99</sup> *Ibid.*, s. 3.

<sup>100</sup> John George Lambton, 1st Earl of Durham, *Report on the Affairs of British North America*, new edition (London: Methuen, 1902), p. 155.

<sup>101</sup> *Ibid.*, p. 158.

<sup>102</sup> *Ibid.*, pp. 160-162.

<sup>103</sup> *Ibid.*, pp. 158-159.

<sup>104</sup> Section 12 of *The Union Act, 1840*, states: "That in the Legislative Assembly of the Province of Canada to be constituted as aforesaid the Parts of the said Province which now constitute the Province of Upper and Lower

Canada respectively shall . . . be represented by an equal Number of Representatives."

<sup>105</sup> Durham, *Report on the Affairs of British North America*, p. 174.

<sup>106</sup> *The Union Act, 1840*, s. 30.

<sup>107</sup> Lord Sydenham to Lord John Russell, letter, 13 March 1840, in *Letters from Lord Sydenham, Governor-General of Canada, 1839-1841, to Lord John Russell*, ed. Paul Knaplund (London: George Allen & Unwin Ltd., 1931), p. 53.

<sup>108</sup> D.J. Pierce and J.P. Pritchett, "The Choice of Kingston as the Capital of Canada, 1839-1841," *Canadian Historical Association, Annual Report 1929* (Toronto: The Association, 1929), p. 57-60; and David B. Knight, *Choosing Canada's Capital: Conflict Resolution in a Parliamentary System* (Ottawa: Carleton University Press, 1991), pp. 47-59; and Brian S. Osborne and Donald Swainson, *Kingston: Building on the Past* (Westport, Ont.: Butternut Press Inc., 1988), p. 78.

<sup>109</sup> With its incorporation as a city in 1834, York's name was changed to Toronto. See: *An Act To Extend the Limits of the Town of York; to Erect the said Town into a City; and to Incorporate it under the name of the City of Toronto*, 4th William IV, c. 23, Statutes of Upper Canada.

<sup>110</sup> Lord Sydenham to Lord John Russell, letter, 22 May 1840, quoted in Osborne and Swainson, *Kingston: Building on the Past*, pp. 78, 81; and Lord Sydenham to Lord John Russell, letter, 13 March 1840, in Knaplund, *Letters From Lord Sydenham*, p. 53.

<sup>111</sup> Pierce and Pritchett, "The Choice of Kingston as the Capital of Canada, 1839-1841," p. 60.

<sup>112</sup> Lord Sydenham to Lord John Russell, letter, 28 October 1840, in *Letters From Lord Sydenham*, p. 99.

<sup>113</sup> For example, see: John Strachan, *Observations on a "Bill for uniting the Legislative Councils and Assemblies of the Provinces of Lower Canada and Upper Canada in one legislature, and to make further provision for the Government of the said Province"* (London: W. Clowes, 1824).



<sup>114</sup> John Macaulay to Ann Macaulay, letter, 5 February 1841, Macaulay Family Papers, AO.

<sup>115</sup> John Kirby to John Macaulay, letter, 10 February 1841, Macaulay Family Papers, AO.

<sup>116</sup> See: Pierce and Pritchett, "The Choice of Kingston as the Capital of Canada, 1839-1841," p. 61.

<sup>117</sup> Dean J.C. Connell, *History of the Kingston General Hospital*, p. 1, Queen's University Archives (QA). See also: Sterling Rubber Company Limited, *Histories of Canadian Hospitals: Kingston General Hospital*, p. 1, QA.

<sup>118</sup> Thomas Gibson, *A Short Account of the Early History of the Kingston General Hospital*, p. 3, QA.

<sup>119</sup> Ibid., pp. 3-4; and Margaret Angus, *Kingston General Hospital: A Social and Institutional History* (Montreal: McGill-Queen's University Press, 1973), p. 6.

<sup>120</sup> For a detailed itemization of the amounts collected between the founding of the Benevolent Society in 1821 and 1830, see: "Collected for the Benevolent Society, 1821-1835," Kingston General Hospital Records, QA.

<sup>121</sup> Although £1,002 15s was pledged, only £690 15s 9d was actually collected owing to the departure or death of some subscribers. See: "Subscription list to the General Hospital proposed to be erected in the Town of Kingston in 1832," Kingston General Hospital Records, QA.

<sup>122</sup> Gibson, *A Short Account of the Early History of the Kingston General Hospital* p. 4; and James A. Roy, *Kingston: The King's Town* (Toronto: McClelland, & Stewart, 1952), p. 152; and Angus, *Kingston General Hospital*, pp. 7-8.

<sup>123</sup> Gibson, *A Short Account of the Early History of the Kingston General Hospital*, pp. 4-5, QA.

<sup>124</sup> For a more detailed account of the life of Dr. James Sampson see: Margaret Angus, "Doctor James Sampson: A Brief Biography," *Historic Kingston* 31 (1983): 2-17. See also: City Clerk's Department, *City of Kingston Municipal Handbook, 1989* (Kingston, Ont.: The Department,

1989), p. 2; J. Edmison, "The History of Kingston Penitentiary," *Historic Kingston* 3 (1954): 29; H. Pearson Gundy, "Growing Pains: The Early History of the Queen's Medical Faculty," *Historic Kingston* 4 (1955): 17; and Gibson, *Short Account of the Early History of Kingston General Hospital* p. 4, QA.

<sup>125</sup> Margaret Angus, "Doctor James Sampson: A Brief Biography," p. 9; idem, *Kingston General Hospital*, pp. 7, 9; and Gibson, *Short Account of the Early History of the Kingston General Hospital*, p. 5, QA.

<sup>126</sup> Angus, *Kingston General Hospital*, pp. 8-9; and idem, "Architects and Builders of Early Kingston," *Historic Kingston* 11 (1963): 23.

<sup>127</sup> Roy, *Kingston: The King's Town*, p. 152; and Margaret Angus, *The Old Stones of Kingston: Its Buildings before 1867* (Toronto: University of Toronto Press, 1966), p. 74.

<sup>128</sup> "Statute References, 1837," Kingston General Hospital Records, QA.

<sup>129</sup> Angus, *Kingston General Hospital*, pp. 12-14; and Gibson, *Short Account of the Early History of the Kingston General Hospital*, pp. 9-10, QA.

<sup>130</sup> Canada, Legislative Assembly, *Journals of the Legislative Assembly of the Province of Canada*, 13th Parliament, 5th Session (Toronto: Robert Stanton, 1840), p. 334; Gibson, *Short Account of the Early History of the Kingston General Hospital*, p. 10, QA; and "Statute References, 1840," Kingston General Hospital Records, QA.

<sup>131</sup> Angus, *Kingston General Hospital*, p. 15.

<sup>132</sup> For a detailed description of Browne's architectural career, see: "George Browne," *Dictionary of Canadian Biography*, vol. X (Toronto: University of Toronto Press, 1982), pp. 117-120; Angus, "Architects and Builders of Early Kingston," pp. 25-27; and Marion MacRae, *The Ancestral Roof: Domestic Architecture of Upper Canada* (Toronto: Clarke, Irwin & Co. Ltd., 1963), pp. 115-126.

<sup>133</sup> Osborne and Swainson, *Kingston: Building on the Past*, p. 87.

<sup>134</sup> Angus, *Kingston General Hospital*, pp. 16-17.



<sup>135</sup> Angus, "Architects and Builders of Kingston," pp. 25-26; idem, "Lord Sydenham's One Hundred and Fifteen Days in Kingston," *Historic Kingston*, 15 (1967): 37-38; and Osborne and Swainson, *Kingston: Building on the Past*, p. 87

<sup>136</sup> Lord Sydenham to Lord John Russell, letter, 12 June 1841, in *Letters from Lord Sydenham*, p. 143.

<sup>137</sup> For a complete discussion of these political changes, see: Luc Noppen, *L'Hôtel du parlement: témoin de notre histoire* (Québec: Assemblée nationale, 1986), pp. 33-35; Rosa W. Langstone, *Responsible Government in Canada* (London and Toronto: J.M. Dent & Sons Ltd., 1931), pp. 127-152; J.L. Morison, *British Supremacy and Canadian Self-Government, 1839-1854* (Glasgow: James MacLehose & Sons, 1919), pp. 138-155; and idem, "Sir Charles Bagot: An Incident in Canadian Parliamentary History," *Queen's Quarterly* 20 (1912): 3-7, 9, 14-15.

<sup>138</sup> See: Knaplund, *Letters From Lord Sydenham*, passim; and Osborne and Swainson, *Kingston: Building on the Past*, p. 97.

<sup>139</sup> Sir Charles Bagot, Governor General, to Lord Stanley, Colonial Secretary, letter, 19 January 1842, as quoted in Knight, *Choosing Canada's Capital*, p. 67.

<sup>140</sup> See: (Toronto) *British Colonist*, 18 August 1841, and *Montreal Gazette*, 13 August 1841.

<sup>141</sup> Canada, Legislative Assembly, *Journals of the Legislative Assembly of the Province of Canada*, vol. 1, 1st Parliament, 1st Session (Kingston: Robert Stanton, 1841), pp. 403, 417, 430, 467-468, 591, 625, 627, 628.

<sup>142</sup> Ibid., pp. 625-627.

<sup>143</sup> Idem, *Journals of the Legislative Assembly of the Province of Canada*, vol. 2, 1st Parliament, 2nd Session (Kingston: Robert Stanton, 1842), p. 47.

<sup>144</sup> Osborne and Swainson, *Kingston: Building on the Past*, p. 96.

<sup>145</sup> Canada, Legislative Assembly, *Journals of the Legislative Assembly of the Province of Canada*, vol. 11, 1st Parliament, 2nd Session, p. 109.

<sup>146</sup> Ibid.

<sup>147</sup> For the text of the Council's report, see: Canada, Legislative Assembly, *Journals of the Legislative Assembly of the Province of Canada*, vol. 3, 1st Parliament, 3rd Session (Kingston: Robert Stanton, 1843), pp. 25-28.

<sup>148</sup> Robert Rumilly, *Histoire de Montréal*, vol. 2 (Montréal: Fides, 1970), p. 289.

<sup>149</sup> Ibid.; Canada, Legislative Assembly, *Journals of the Legislative Assembly of the Province of Canada*, vol. 3, 1st Parliament, 3rd Session, pp. 89-90; R. W. Scott, *The Choice of the Capital: Reminiscences Revived on the Fiftieth Anniversary of the Selection of Ottawa as the Capital of Canada by Her Late Majesty* (Ottawa: The Mortimer Company, 1907), pp. 5-13; and Noppen, *L'Hôtel du parlement: témoin de notre histoire*, p. 35.

<sup>150</sup> Luc d'Iberville-Moreau, *Lost Montreal* (Toronto: Oxford University Press, 1975), p. 150; William Henry Atherton, *Montreal 1535-1914*, vol. 2 (Montreal: S.J. Clarke Publishing Co., 1914), p. 167; and Rumilly, *Histoire de Montréal*, vol. 2, p. 291.

<sup>151</sup> Captain F. A. Grant to his father, letter, 1 May 1849, MG 24 A 53, National Archives of Canada.

<sup>152</sup> Alfred Perry, *A Reminiscence of '49*, MG 29 D 21, National Archives of Canada.

<sup>153</sup> Ibid.

<sup>154</sup> Canada, Legislative Assembly, *Journals of the Legislative Assembly of the Province of Canada*, vol. 8, 3rd Parliament, 1st Session (Montreal: Rollo Campbell, 1848), p. 262; Joseph Schull, *Rebellion: The Rising in French Canada, 1837* (Toronto: Macmillan, 1971), pp. 206-207; Atherton, *Montreal 1535-1914*, pp. 167-168; Rumilly, *Histoire de Montréal*, vol. 2, pp. 320-325; and Noppen, *L'Hôtel du parlement*, p. 35.

<sup>155</sup> Douglas Richardson, *A Not Unsightly Building: University College and Its History* (Oakville: Mosaic Press for University College, 1990), pp. 12, 38; Dendy, *Lost Toronto*, p. 32; and Yeigh, *Ontario's Parliament Buildings*, p. 49.

<sup>156</sup> Yeigh, *Ontario's Parliament Buildings*, p. 49; and Arthur, *From Front Street to Queen's Park*, p. 42.



<sup>157</sup> Minutes of Proceedings, Board of Commissioners for Superintending the Temporary Lunatic Asylum, 10 September 1845, Queen St. Mental Health Clinic Records of the Commissioners for Superintending the Temporary Lunatic Asylum, 1842-1846, AO.

<sup>158</sup> Report of the Subcommittee of the Temporary Lunatic Asylum, 11 May 1844, Queen St. Mental Health Clinic Records of the Commissioners for Superintending the Temporary Lunatic Asylum, AO.

<sup>159</sup> Ibid.

<sup>160</sup> Minutes of Proceedings, Board of Commissioners of the Temporary Lunatic Asylum, 19 June 1845, Queen St. Mental Health Clinic Records of the Commissioners for Superintending the Temporary Lunatic Asylum, AO.

<sup>161</sup> Ibid.; idem, Minutes of Proceedings, 6 and 16 August 1845, Queen St. Mental Health Clinic Records of the Commissioners for Superintending the Temporary Lunatic Asylum, AO.

<sup>162</sup> Report of the Commissioners, 21 August 1845, Queen St. Mental Health Clinic Records of the Commissioners for Superintending the Temporary Lunatic Asylum, AO.

<sup>163</sup> Ibid.

<sup>164</sup> Minutes of Proceedings, 19 and 26 March 1846, Queen St. Mental Health Clinic Records of the Commissioners for Superintending the Temporary Lunatic Asylum, AO.

<sup>165</sup> While Toronto had been the seat of government in Upper Canada since 1797, Quebec City's claim to political prominence could be traced as far back as 1608.

See: Wilfrid Eggleston, *The Queen's Choice: A Story of Canada's Capital* (Ottawa: National Capital Commission, 1961), pp. 99-100.

<sup>166</sup> Knight, *Choosing Canada's Capital*, pp. 129-134.

<sup>167</sup> See: Ibid., pp. 135-137.

<sup>168</sup> William Lyon Mackenzie, speech, 20 May 1851, as quoted in *ibid.*, p. 137.

<sup>169</sup> G.B. Lyon, speech, 3 June 1853, as quoted in *ibid.*, p. 142.

<sup>170</sup> *Montreal Gazette*, 11 November 1854, as quoted in *ibid.*, p. 145. See also: *Ottawa Citizen*, 18 November 1854, *ibid.*, p. 146.

<sup>171</sup> Canada, Legislative Assembly, *Journals of the Legislative Assembly of the Province of Canada*, vol. 13, Part 1, 5th Parliament, 1st Session (Quebec City: Queen's Printer, 1854), pp. 285, 294, 295, 298, 733, 738, 740, 742, 743, 744, 745.

<sup>172</sup> *Idem*, *Journals of the Legislative Assembly of the Province of Ontario*, vol. 13, part 1, 5th Parliament, 1st Session (Quebec: Rollo Campbell, 1855), pp. 294, 295, 733, 738, 740.

<sup>173</sup> See: Legislative Council to Sir Edmund Head, address, 25 April 1855, (Toronto) *Leader*, 27 April 1855; and *Montreal Gazette*, 27 April 1855, as quoted in Knight, *Choosing Canada's Capital*, pp. 152-153.

<sup>174</sup> Sir Edmund Head to Sir William Molesworth, letter, 7 August 1855, as quoted in *ibid.*, p. 153.

<sup>175</sup> The majority of the petitions were from individuals in Canada East. For the Assembly's discussion of the issue of representation by population, see: Canada, Legislative Assembly, *Journals of the Legislative Assembly of the Province of Canada*, vol. 14, 5th Parliament, 2nd Session (Toronto: Rollo Campbell, 1856), pp. 287, 292, 319, 331, 376, 377, 386, 401, 410, 427, 454, 489, 542, 552, 622, 681.

<sup>176</sup> L.T. Drummond, speech, 16 April 1856, as quoted in Knight, *Choosing Canada's Capital*, p. 173. See also: Canada, Legislative Assembly, *Journals of the Legislative Assembly of the Province of Canada*, 5th Parliament, 2nd Session, pp. 323, 327, 328, 329.

<sup>177</sup> Amendment to motion, Legislative Assembly, 16 April 1856, as quoted in Knight, *Choosing Canada's Capital*, pp. 174-178.

<sup>178</sup> The supply bill was introduced in the House on 14 May 1856; it was not accepted by the Assembly until 27 June 1856.

<sup>179</sup> Canada, Legislative Assembly, *Journals of the Legislative Assembly of the United Province of Canada*, vol. 14, 5th Parliament, 2nd Session, pp. 514, 522.



<sup>180</sup> The motions were defeated by votes of 43 to 73 and 47 to 70, respectively.

<sup>181</sup> Canada, Legislative Assembly, *Journals of the Legislative Assembly of the Province of Canada*, vol. 14, 5th Parliament, 2nd Session, p. 738. See also: *ibid.*, pp. 203, 514-515, 522, 533-539, 566, 572, 604, 737.

<sup>182</sup> Legislative Council Minutes, 28 June 1856, as quoted in Knight, *Choosing Canada's Capital*, p. 183.

<sup>183</sup> See: *The Union Act, 1840*, 3-4 Victoria, c. 35 (UK), ss. 1-3.

<sup>184</sup> Eggleston, *The Queen's Choice*, pp. 101-102.

<sup>185</sup> Knight, *Choosing Canada's Capital*, p. 166.

<sup>186</sup> See: Sir Edmund Head to Rt. Hon. H. Labouchere, 28 March 1857, as quoted in ed. James A. Gibson, "Sir Edmund Head's Memorandum on the Choice of Ottawa as the Seat of Government of Canada," *Canadian Historical Review* 16 (1935): 411; and *idem*, "The Choosing of the Capital of Canada," *British Columbia Historical Quarterly*, 17:1 and 2, p. 78.

<sup>187</sup> Gibson, "Memorandum," p. 413. See also: Sir Edmund Head to Labouchere, letter, 28 March 1857, as quoted in *idem*, "The Choosing of the Capital of Canada," p. 77.

<sup>188</sup> Gibson, "Memorandum," pp. 413-414.

<sup>189</sup> (Montreal) *Pilot*, reprinted in *Montreal Gazette*, 25 March 1856, as quoted in Knight, *Choosing Canada's Capital*, p. 171.

<sup>190</sup> John A. Macdonald, speech to the Legislative Assembly, 19 March 1857, as quoted in *ibid.*, p. 189.

<sup>191</sup> Gibson, "Memorandum," p. 417.

<sup>192</sup> R.T. Pennefeather, Secretary to the Governor, Circular, 28 March 1857, as quoted in Scott, *The Choice of the Capital*, p. 28.

<sup>193</sup> The entry submitted by Ottawa's City Council was written by Richard William Scott, a Member of the Legislative Assembly and, for a short period

in 1871, Speaker of the House. For a copy of Ottawa's address, see: *ibid.*, pp. 40-43.

<sup>194</sup> Gibson, "Capital of Canada," p. 80.

<sup>195</sup> *Idem*, "Memorandum," pp. 414-415.

<sup>196</sup> *Ibid.*, p. 415.

<sup>197</sup> *Ibid.*, p. 414.

<sup>198</sup> Noppen, *L'Hôtel du parlement*, p. 36.

<sup>199</sup> In his article, "The Canadian Government comes to Ottawa, 1865-1866," C.C.J. Bond noted that contemporary correspondence between individuals employed by the government displayed a marked distaste for the idea of relocation. A letter published in the *Quebec Union* bemoaned the absence of cultured society in Ottawa and lamented that "ladies' hats & feathers, parasols and laces, shawls & balmorals, are hardly met with. It is difficult to see women at all in the streets . . . [there is] whisky everywhere . . . It would be vain to call for the police."

Letter, *Quebec Union*, 27 September 1865, as quoted in C.C.J. Bond, "The Canadian Government comes to Ottawa, 1865-1866," *Ontario History* 55:1 (1963): 30.

<sup>200</sup> Dispatch No. 97 (Copy), 31 July 1858, as quoted in *Despatches from Her Majesty's Secretary for the Colonies, and other Documents relating to the Seat of Government, laid by order of His Excellency the Governor General, before the Legislative Assembly by the Honourable Mr. Alleyn, Secretary of the Province*, Appendix No. 2, *Journals of the Legislative Assembly of the Province of Canada*, 6th Parliament, 2nd Session (Toronto: The Queen's Printer, 1859), p. 1.

<sup>201</sup> *Ibid.*

<sup>202</sup> *Ibid.*, pp. 1-2.

<sup>203</sup> Dispatch No. 102 (Copy), 9 August 1858; and Edmund Head to George Brown, Memorandum, 31 July 1858, contained in *Despatches*, Appendix No. 2, *Journals of the Legislative Assembly of the Province of Canada*, 5th Parliament, 2nd Session, pp. 3-5, 8-9.



<sup>204</sup> See: *An Act for better securing the independence of the Legislative Assembly of this Province, 1843*, 7 Victoria, c. 65; am. by 16 Victoria, c. 154, and 18 Victoria, c. 86.

<sup>205</sup> For a more detailed account of the events surrounding the "double shuffle" of 1858, see: W.L. Morton, *The Critical Years: The Union of British North America, 1857-1873* (Toronto: McClelland and Stewart, 1964), pp. 13-20; and eds. Cynthia M. Smith with Jack McLeod, *Sir John A.: An Anecdotal Life of John A. Macdonald* (Toronto: Oxford University Press, 1989), pp. 17-18.

<sup>206</sup> Memorandum for the consideration of His Excellency the Governor General, 3 August 1858; and Edmund Head, Memorandum, 4 August 1858 in *Despatches*, Appendix No. 2, *Journals of the Legislative Assembly of the Province of Canada*, pp. 9-12.

<sup>207</sup> Arthur Beauchesne, *Canada's Parliament Building: the Senate and House of Commons, Ottawa* (Ottawa: n.p., n.d.), p. 12.

<sup>208</sup> Scott, *The Choice of the Capital*, p. 36; Eggleston, *The Queen's Choice*, pp. 109-110; "Louis-Victor Sicotte," *The Macmillan Dictionary of Canadian Biography* (Toronto: Macmillan, 1963), p. 690; Pierre-Georges Roy, ed., *Les Juges de la province de Québec* (Québec: Service des Archives du Gouvernement de la province de Québec, 1933), p. 503; and Joseph Desjardins, *Guide parlementaire historique de la province de Québec, 1792 à 1902* (Québec: n.p., 1902), p. 37.

<sup>209</sup> (Toronto) *Globe*, 7 March 1860, as cited in J.M.S. Careless, *Brown of the Globe: Statesmen of Confederation 1860-1880*, vol. 2 (Toronto: Macmillan Co., 1963), p. 15.

<sup>210</sup> Donald Creighton, *The Road to Confederation* (Toronto: Macmillan, 1964), p. 386.

<sup>211</sup> Alexander Fraser, *A History of Ontario: Its Resources and Development* (Toronto: Canada History Co., 1907), pp. 423-424.

<sup>212</sup> Ibid.

<sup>213</sup> See: Canada, Legislative Assembly, *Journals of the Legislative Assembly*

of the *United Province of Canada*, vol. 21:2 (1863), Appendix No. 3, Report of the Commissioner for Public Works.

<sup>214</sup> See: Canada, Legislative Assembly, *Journals of the Legislative Assembly of the United Province of Canada*, vol. 15 (1857), Appendix No. 29, Report of the Commissioners of Public Works; idem, *Journals of the Legislative Assembly of the United Province of Canada*, vol. 16:5 (1858), Appendix No. 19, Report of the Commissioner of Public Works; and idem, *Journals of the Legislative Assembly of the United Province of Canada*, vol. 17:2 (1859), Appendix No. 8, Report of the Commissioner of Public Works.

<sup>215</sup> Both incidents occurred while the parliament buildings were being used by the military authorities for officers' quarters. The first of the two fires occurred only one week after the officers occupied the building. See: Canada, Legislative Assembly, *Journals of the Legislative Assembly of the United Province of Canada*, vol. 21:2 (1863), Appendix No. 3, Report of the Commissioner of Public Works.

<sup>216</sup> For more detailed information, see: Ontario, Legislative Assembly, *Sessional Papers of the Legislative Assembly of the Province of Ontario*, vol. 7 (1874), No. 2, Report of the Architect; and idem, *Sessional Papers of the Legislative Assembly of the Province of Ontario*, vol. 12 (1880), No. 7, Report of the Architect.

<sup>217</sup> Ontario, Legislative Assembly, *Sessional Papers of the Legislative Assembly of the Province of Ontario*, vol. 9:2 (1877), No. 6, Report of the Architect and Chief Officer.

<sup>218</sup> For the details of the yearly assessments, see: Assessment Rolls, St. George's Ward, 1867 - 1889, City of Toronto Archives, City Hall, Toronto.

<sup>219</sup> Ontario, Legislative Assembly, *Journals of the Legislative Assembly of the Province of Ontario*, vol. 10, 3rd Parliament, 2nd Session (Toronto: Queen's Printer, 1877), p. 106.

<sup>220</sup> "Kivas Tully," in Stephen Beszedits, *Eminent Toronto Architects of the Past: Their Lives and Works* (Toronto: B & L Information Services, 1983), pp. 43-47; and G. Dean Maxwell, *The First One Hundred Years: A History of Wilson Lodge, A. F. & A. M., No. 86 Grand Lodge of Canada in the Province of Ontario, 1857-1957* (Toronto: Wilson Lodge, 1957), pp. 38-39.



<sup>221</sup> Ontario, Legislative Assembly, *Sessional Papers of the Legislative Assembly of the Province of Ontario*, vol. 12:4 (1880), No. 52, Reports of the Public Works' Architect, and other papers in relation to Parliament and Departmental Buildings (Toronto: Queen's Printer, 1880), p. 1.

<sup>222</sup> Ibid.

<sup>223</sup> Ibid.

<sup>224</sup> Ibid., pp. 1-2.

<sup>225</sup> Ibid., pp. 2-3.

<sup>226</sup> Ibid., p. 3.

<sup>227</sup> Ibid., p. 4.

<sup>228</sup> Ontario, Legislative Assembly, *Journals of the Legislative Assembly of the Province of Ontario*, vol. 13, 4th Parliament, 1st Session (Toronto: Queen's Printer, 1880), p. 121.

<sup>229</sup> Ibid., pp. 121-122.

<sup>230</sup> Ibid., p. 128.

<sup>231</sup> Ibid., pp. 130-132.

<sup>232</sup> Ibid., p. 121.

<sup>233</sup> Arthur, *From Front Street to Queen's Park*, pp. 66-67.

<sup>234</sup> Ontario, Legislative Assembly, *Journals of the Legislative Assembly of the Province of Ontario*, vol. 13, 4th Parliament, 1st Session, p. 146.

<sup>235</sup> Arthur, *From Front Street to Queen's Park*, p. 67.

<sup>236</sup> Ibid., pp. 52-53.

<sup>237</sup> Ontario, Department of Public Works, *General Instructions for the Guidance of Architects in preparing designs, etc., for the proposed New Parliament and Departmental Buildings for the Province of Ontario and the*

*Terms, Conditions, etc. relating thereto, 27 April 1880* (Toronto: Queen's Printer, 1880), pp. 4-6.

<sup>238</sup> Ibid., p. 10.

<sup>239</sup> Ibid., p. 5.

<sup>240</sup> Ibid., pp. 3,7.

<sup>241</sup> Arthur, *From Front Street to Queen's Park*, p. 53.

<sup>242</sup> "Notice to Architects" and "Further Notice to Architects," Item 280, Box 3, Series S-6: Miscellaneous Files: 1860-1898, Record Group 15, Department of Public Works Inventory, AO.

<sup>243</sup> A. Mackenzie, W.G. Storm and R.A. Waite to C.F. Fraser, Provincial Commissioner of Public Works, memorandum, 15 November 1880, p. 2, Box 27, Series E-1: Correspondence — Subject Files: 1856-1916, Record Group 15, Department of Public Works Inventory, AO.

<sup>244</sup> Ibid., pp. 3-4.

<sup>245</sup> Ibid., p. 4.

<sup>246</sup> Ibid., p. 5.

<sup>247</sup> For copies of the specifications, see: *Specifications for proposed new Parliament Buildings for Ontario as designed by Messrs. Gordon & Helliwell of Toronto* and *Specifications for proposed new Parliament Buildings for Ontario as designed by Messrs. Darling & Curry of Toronto*, File 27-1, Box 27, Series E-1: Correspondence — Subject Files, 1856-1916, Record Group 15, Department of Public Works Inventory, AO. See also: Arthur, *From Front Street to Queen's Park*, pp. 54-55.

<sup>248</sup> Secretary, Department of Public Works to various architects, letter, 25 February 1881, Item 138, Box 2, Series S-6: Miscellaneous Files, 1860-1898; and Regarding New Parliament Buildings: Memo respecting competition, tenders, etc., 29 December 1894, File 27-2, Box 27, Series E-1: Correspondence — Subject Files: 1856-1916, Record Group 15, Department of Public Works Inventory, AO.

<sup>249</sup> Arthur, *From Front Street to Queen's Park*, pp. 54-55.



<sup>250</sup> Ontario, Legislative Assembly, *Journals of the Legislative Assembly of the Province of Ontario*, vol. 17, 5th Parliament, 1st Session (Toronto: Queen's Printer, 1884), pp. 60, 104.

<sup>251</sup> *Ibid.*, p. 158.

<sup>252</sup> *Ibid.*

<sup>253</sup> *Toronto Globe*, 19 March 1885.

<sup>254</sup> Ontario, Legislative Assembly, *Journals of the Legislative Assembly of the Province of Ontario*, vol. 18, 5th Parliament, 2nd Session (Toronto: Queen's Printer, 1885), pp. 121-122, 129, Arthur, *From Front Street to Queen's Park*, pp. 55-56; and Darling & Curry, Architects to C.F. Fraser, Commissioner of Public Works, letter, contained in *Information and correspondence relating to the matters in dispute between the Government of the Province of Ontario and the firm of Darling & Curry, of the City of Toronto, Architects*, AO.

<sup>255</sup> Arthur, *From Front Street to Queen's Park*, p. 57.

<sup>256</sup> *Toronto Globe*, 24 March 1886.

<sup>257</sup> Although the index to the 1877 Sessional Papers states that Waite's report on the rejected plans is included in Sessional Paper No. 44, it encompasses only correspondence between C.F. Fraser and Waite concerning Waite's contract as architect. See: Ontario, Legislative Assembly, *Sessional Papers of the Legislative Assembly of the Province of Ontario*, vol. 20 (1887), No. 44.

<sup>258</sup> *Toronto Globe*, 15 April 1887, as quoted in Ontario, Department of Public Works, *New Parliament Buildings* (Toronto: Queen's Printer, 1890), p. 14.

<sup>259</sup> *Toronto Mail*, "The Parliament Buildings," 7 March 1890. See also: "Opening of the Legislature," *Toronto Empire*, 4 April 1893.

<sup>260</sup> H.B. Gordon to Commissioner of Public Works, letter, 4 March 1887, and William Edwards, Secretary of Public Works, to H.B. Gordon, letter, 7 March 1887, Box 3, Series S-6: Miscellaneous Files, Record Group 15, Department of Public Works Inventory, AO.

<sup>261</sup> William G. Storm to Darling & Curry, Architects, letter, 15 May 1886, as quoted in *Matters in dispute.*, p. 7.

<sup>262</sup> Darling & Curry, Architects, to the Commissioner of Public Works, letter, 23 March 1887, quoted in *ibid.*, p. 11.

<sup>263</sup> William G. Storm to Darling & Curry, Architects, letter, 23 March 1887, as quoted in *Matters in dispute* p. 15.

<sup>264</sup> H.B. Gordon to C.F. Fraser, Commissioner of Public Works, letter, 12 February 1886, Box 3, Series S-6: Miscellaneous Files, Record Group 15, Department of Public Works Inventory, AO.

<sup>265</sup> Arthur, *From Front Street to Queen's Park*, p. 61.

<sup>266</sup> Ontario, Legislative Assembly, *Sessional Papers of the Legislative Assembly of the Province of Ontario*, vol. 19:5 (1887), No. 28, Tenders for the erection of the proposed Legislative and Departmental Buildings (Toronto: Queen's Printer, 1887).

<sup>267</sup> Ontario, Legislative Assembly, *Journals of the Legislative Assembly of the Province of Ontario*, vol. 20, 6th Parliament, 1st Session (Toronto: Queen's Printer, 1887), pp. 115-116.

<sup>268</sup> For the full text of Fraser's speech, see: *Toronto Globe*, 15 April 1887, as quoted in *New Parliament Buildings*, pp. 13-14. See also: A. Margaret Evans, *Sir Oliver Mowat*, Ontario Historical Studies Series (Toronto: University of Toronto Press, 1992), p. 243.

<sup>269</sup> Ontario, Legislative Assembly, *Journals of the Legislative Assembly of the Province of Ontario*, vol. 20, 6th Parliament, 1st Session, pp. 116, 118; Frank Yeigh, "Ontario's Capitol: The Great New Building in the Park," *Scrapbook II: 1892-1895*, p. 46, Frank Yeigh Papers, AO.

<sup>270</sup> Arthur, *From Front Street to Queen's Park*, pp. 69, 90. For a more detailed architectural description of the exterior of Queen's Park, see: *Ibid.*, pp. 74-90; Yeigh, *Ontario's Parliament Buildings*, pp. 108-117; and Ontario, Legislative Assembly, *Queen's Park: An Illustrated Guide to the Ontario Parliament Building* (Toronto: Legislative Assembly, Public and Parliamentary Relations Office, 1984), *passim*.

<sup>271</sup> Arthur, *From Front Street to Queen's Park*, pp. 92-94, 105.



<sup>272</sup> *Toronto Mail*, undated article, Newspaper Scrapbook: 1877-1893, Mowat Family Papers, AO; Ontario, Legislative Assembly, *Queen's Park: An Illustrated Guide* p. 10; and Arthur, *From Front Street to Queen's Park*, pp. 69-70.

<sup>273</sup> Several complete lists of contractors employed in the construction of Queen's Park and the amount of the contracts awarded exist in various archival and printed collections. See: Ontario, Legislative Assembly, *Sessional Papers of the Legislative Assembly of the Province of Ontario*, vol. 19:5 (1887), No. 28, Return of Copies of all Advertisements inviting Tenders for the Excavations, and Stone-Masons', and Bricklayers' Works, etc. connected with the Proposed New Legislative and Departmental Buildings, and of the Tenders Received therefor in the Year 1886, with Copies of Correspondence relating thereto, and Copies of the Specifications and Contract as Executed for the same (Toronto: Queen's Printer, 1887); Frank Yeigh, "Ontario's New Parliament Buildings," *The Canadian Magazine*, undated, pp. 34-35; Scrapbook II: 1892-1895, Frank Yeigh Papers, AO; and Arthur, *From Front Street to Queen's Park*, pp. 61, 102, 121.

<sup>274</sup> Kivas Tully to the Editor, *Toronto Empire*, letter, 12 February 1891, File 27-2, Box 27, Series E-1: Correspondence — Subject Files: 1856-1916, Record Group 15, Department of Public Works Inventory, AO.

<sup>275</sup> *Ibid.*

<sup>276</sup> Ontario, Legislative Assembly, *Journals of the Legislative Assembly of the Province of Ontario*, vol. 24, 7th Parliament, 1st Session (Toronto: Queen's Printer, 1891), pp. 125, 128, 129, 140, 143, 182.

<sup>277</sup> Frank Yeigh, "Ontario's New Parliament Buildings," *The Canadian Magazine*, undated, Scrapbook II: 1892-1895, Frank Yeigh Papers, AO.

<sup>278</sup> General Memorandum, Department of Public Works, 14 January 1893, File 27-2, Box 27, Series E-1: Correspondence — Subject Files: 1856-1916, Record Group 15, Department of Public Works Inventory, AO.

<sup>279</sup> Ontario, Legislative Assembly, *Sessional Papers of the Legislative Assembly of the Province of Ontario*, vol. 15: 4 (1883), No. 7 (Toronto: Queen's Printer, 1883); *idem*, *Sessional Papers of the Legislative Assembly of the Province of Ontario*, vol. 17:5 (1885), No. 1 (Toronto: Queen's

Printer, 1885); idem, *Sessional Papers of the Legislative Assembly of the Province of Ontario*, vol. 19:4 (1887), No. 15 (Toronto: Queen's Printer, 1887); and idem, *Sessional Papers of the Legislative Assembly of the Province of Ontario*, vol. 20:4 (1888), No. 17 (Toronto: Queen's Printer, 1888).

<sup>280</sup> For example, see: R.A. Waite to C.F. Fraser, letter, 17 August 1891, item 117; and R.A. Waite to C.F. Fraser, letter, 22 September 1892, item 163, Box 2, Series S-6: Miscellaneous Files: 1860-1898, Record Group 15, Department of Public Works Inventory, AO.

<sup>281</sup> R.A. Waite to C.F. Fraser, letter, 24 December 1893, and C.F. Fraser to R.A. Waite, letter, 26 December 1893, Box 2; and R.A. Waite to William Edward, Secretary, Department of Public Works, letter, 10 February 1894, Box 3; C.H. Ritchie to William Harty, Commissioner of Public Works, letter, 22 March 1895, Box 3; William Harty to C.H. Ritchie, letter, 17 April 1895; Order-in-Council (Copy), 29 January 1898; A.S. Harty, Attorney-General, to Acting Commissioner of Public Works, memorandum regarding Waite vs. Regina, undated; and General Memorandum, Department of Public Works, 1 September 1899, Box 3, Series S-6: Miscellaneous Files: 1860-1898, Record Group 15, Department of Public Works Inventory, AO.

<sup>282</sup> I am indebted to Elaine Campbell, Research Officer, Legislative Research Service, for allowing me to consult her detailed inventory of Department of Public Works Annual Reports for use in this section.

<sup>283</sup> See: "The trumpets' blare and boom of guns announce the Opening of the Legislative Assembly of the Province of Ontario," *Toronto Evening News*, 4 April 1893; *Toronto Daily Mail*, 5 April 1893; and "Ontario's Parliament: The Legislature gathers at the New Buildings," *Toronto Globe*, 5 April 1893.

<sup>284</sup> Entry for 4 April 1893, Diary of Mrs. John Clover, MU 7827 (Miscellaneous Collection), AO.

<sup>285</sup> Arthur, *From Front Street to Queen's Park*, pp. 123-125; Yeigh, *Ontario's Parliament Buildings*, pp. 117-122; "Legislators in Fairyland," *Toronto Empire*, 5 April 1893; "The trumpets blare . . .," *Toronto Evening News*, 4 April 1893; and *Toronto Daily Mail*, 5 April 1893.



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<sup>286</sup> Toronto *Evening News*, 4 April 1893.

<sup>287</sup> "The Legislature To-Day," Toronto *Empire*, 4 April 1893.

<sup>288</sup> Ontario, Legislative Assembly, *Journals of the Legislative Assembly of the Province of Ontario*, 7th Parliament, 3rd Session (Toronto: Queen's Printer, 1893), pp. 106-107.

<sup>289</sup> Ontario, Department of Public Works, *Report of the Commissioner of Public Works for the Province of Ontario for the Year Ending 31st December 1897* (Toronto: Warwick Bros. & Rutter, 1897), p. 7; idem, *Report of the Commissioner of Public Works for the Province of Ontario for the Year Ending 31st December 1898* (Toronto: Warwick Bros. & Rutter, 1899), p. 7; idem, *Report of the Commissioner of Public Works for the Province of Ontario for the Year Ending 31st December 1900* (Toronto: Queen's Printer, 1901); and idem, *Report of the Commissioner of Public Works for the Province of Ontario for the Year Ending 31st December 1903* (Toronto: Queen's Printer, 1904), p. 7.

<sup>290</sup> Idem, *Report of the Commissioner of Public Works for the Province of Ontario for the Year Ending 31st December 1909* (Toronto: King's Printer, 1910), pp. 9, 114, 118.

<sup>291</sup> "Ontario's Parliament House partly destroyed by fire," Toronto *Globe*, 2 September 1909.

<sup>292</sup> Ibid.

<sup>293</sup> Ibid.; and Memo to Hon. Sir James P. Whitney, Premier of Ontario, from Department of Public Works, 17 September 1909, Box 27, Series E-1: Correspondence — Subject Files: 1856-1916, Record Group 15, Department of Public Works Inventory, AO.

<sup>294</sup> Ontario, Department of Public Works, *Report of the Minister of Public Works for the Year 1908* (Toronto: King's Printer, 1909), pp. 9, 11-12; and H. F. Strickland, Chief Electrical Inspector, to Minister of Public Works,

letter, 2 September 1909, Box 27, Series E-1: Correspondence — Subject Files: 1856-1916, Record Group 15, Department of Public Works Inventory, AO.

<sup>295</sup> Ontario, Department of Public Works, *Report of the Commissioner of Public Works for the Province of Ontario for the Year Ending 31st December 1909*, p. 9.

<sup>296</sup> *Toronto Globe*, 3 September 1909.

<sup>297</sup> Ontario, Department of Public Works, *Report of the Minister of Public Works for the Twelve Months Ending 31st October 1914* (Toronto: King's Printer, 1915), p. 121. See also: Ontario, Department of Public Works, *Report of the Minister of Public Works for the Twelve Months Ending 31st October 1910* (Toronto: King's Printer, 1911), pp. 7, 9, 10; idem, *Report of the Minister of Public Works for the Twelve Months Ending 31st October 1911* (Toronto: King's Printer, 1912), pp. 11, 12; idem, *Report of the Minister of Public Works for the Twelve Months Ending 31st October 1912* (Toronto: King's Printer, 1913), pp. 10, 11.

<sup>298</sup> Ontario, Department of Public Works, *Report of the Minister of Public Works for the Twelve Months Ending 31st October 1914*, p. 121, in *Summary of Construction of North Wing*, 19 May 1965, Ontario Legislative Library, Current Data File.

<sup>299</sup> Idem, *Report of the Minister of Public Works for the Twelve Months Ending 31st October 1912*, p. 11.

<sup>300</sup> Provincial Architect to F.G. Macdiarmid, Minister of Public Works, letter, 4 June 1919, Box 13, Hearst Papers, Record Group 3, Premier's Office Inventory, AO.

<sup>301</sup> Ibid.

<sup>302</sup> Ontario, Department of Public Works, *Report of the Minister of Public Works for the Province of Ontario for the Twelve Months Ending 31st October 1921* (Toronto: King's Printer, 1923), pp. 5, 11, 13.

<sup>303</sup> Ontario, Ministry of Public Works, *Report of the Minister of Public Works for the Province of Ontario For the Year Ending March 31, 1966* (Toronto: Queen's Printer, 1966), p. 12.



<sup>304</sup> Idem, *Report of the Minister of Public Works for the Province of Ontario for the Twelve Months Ending March 31, 1938* (Toronto: King's Printer, 1940), p. 7.

<sup>305</sup> Idem, *Report of the Minister of Public Works for the Province of Ontario for the Twelve Months Ending March 31st, 1939* (Toronto: King's Printer, 1940), p. 7.

<sup>306</sup> Idem, *Report of the Minister of the Department of Public Works for the Twelve Months Ending March 31st, 1939*, p. 7.

<sup>307</sup> Telephone conversation with Loraine Pelletier, Office of Protocol, Office of the Lieutenant-Governor of Ontario, Toronto, 2 September 1992.

<sup>308</sup> For a more detailed discussion of the royal visits that have occurred since 1901 see: Ontario, Legislative Assembly, *Pomp and Circumstance: An Historical Celebration of Queen's Park* (Toronto: Legislative Assembly, Parliamentary and Public Relations Office, 1984), passim.

<sup>309</sup> Ontario, Ministry of Public Works, *Report of the Minister of Public Works for the Province of Ontario for the Twelve Months Ending March 31st, 1940* (Toronto: King's Printer, 1941), p. 8.

<sup>310</sup> *Pomp and Circumstance*, pp. 30, 36.

<sup>311</sup> Telephone interview with Loraine Pelletier, Office of Protocol, Ministry of Industry, Trade, and Technology, 2 September 1992.

<sup>312</sup> Ontario, Legislative Assembly, Standing Committee on the Legislative Assembly, *Report on Proposals for the Restoration of Ontario's Parliament Building* (Toronto: The Committee, 1987), p. 9.

<sup>313</sup> Ontario, Legislative Assembly, Standing Committee on the Legislative Assembly, *Report on the Process for the Restoration of the Parliament Building* (Toronto: The Committee, 1988), p. 1.

<sup>314</sup> Ibid.

<sup>315</sup> Julian S. Smith Architect & Associates, *A Time for Renewal: Restoration Master Plan for the Ontario Legislative Building and Grounds, Queen's Park, Toronto* (Ottawa: Julian S. Smith Architect & Associates, January 1991), p. 1, in Ontario Legislative Assembly, Special Committee on the

Parliamentary Precinct, *Restoration Proposals for the Parliament Buildings*, 35th Parliament, 1st Session (Toronto: The Committee, 1991), app. 2.

<sup>316</sup> Ibid., p. 3.

<sup>317</sup> For the reaction to the proposed plan, see: "Don't use tax dollars," and "\$100 Million for Queen's Park facelift," *Toronto Sun*, 21 June 1991; "Queen's Park overhaul," *Globe and Mail*, 21 June 1991; "Rae ponders \$100 million Legislature renovation," *Toronto Star*, 24 June 1991; and John Barber, "Capital Fellow," *Globe and Mail*, 30 July 1992.

<sup>318</sup> Telephone interview with Paul Tranquada, Director, Renovation/Restoration Program, Legislative Assembly of Ontario, Toronto, 3 December 1992.



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